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the 1990s, the number of people in the UK who are employed in the public sector has increased from 10.5 million to 12.5 million (12.5% of the population).

There are a number of reasons for this increase. One of the main reasons is that the public sector has become a major employer of young people. In 1990, only 1.5 million young people were employed in the public sector, but by 2000, this number had risen to 3.5 million (30% of all young people in the UK).

Another reason for the increase is that the public sector has become a major employer of women. In 1990, only 4.5 million women were employed in the public sector, but by 2000, this number had risen to 7.5 million (75% of all women in the UK).

There are a number of reasons for this increase. One of the main reasons is that the public sector has become a major employer of women in the 1990s. In 1990, only 4.5 million women were employed in the public sector, but by 2000, this number had risen to 7.5 million (75% of all women in the UK).

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No subject

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[Bannatyne Club, Edinburgh
Publ. no. 812
AT



Church of Scotland. General assembly

ACTS AND PROCEEDINGS

OF

THE GENERAL ASSEMBLIES

OF THE

KIRK OF SCOTLAND,

FROM THE YEAR M.D.LX.

COLLECTED FROM THE MOST AUTHENTIC MANUSCRIPTS.

PART FIRST. M.D.LX.—M.D.LXXVII.

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AT an Extraordinary General Meeting of the BANNATYNE
CLUB, held at Edinburgh, in the Hall of the Antiquarian
Society, on Monday the 15th day of April 1839 :—

RESOLVED,—That the first part of “ The Acts and Proceedings
of the General Assemblies of the Kirk of Scotland, from the year
M.D.LX., collected from the most authentick Manuscripts,” and now
printing for the BANNATYNE CLUB, under the superintendence of
the President of the Club, be circulated among the Members.

DAVID LAING, *Secretary.*

THE BANNATYNE CLUB.

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It having been resolved by the Committee of Management of the Bannatyne Club, to circulate immediately that portion of the Book of the Universal Kirk of Scotland already printed, and which has been calculated to amount to about one-third of the entire Work, reserving to the conclusion of the whole, an account of the Manuscripts that have been employed in its compilation; it may at present be enough to state, that its object has been to preserve whatever may yet be recovered of the recorded proceedings of the Assemblies of the Church, from the era of the Reformation, to the period from which its original Registers are still extant. Besides that abridgment of the earlier volumes of the Register, usually known under the title of "The Book of the Universal Kirk," the principal source from which the contents of this compilation have been derived, is the unprinted History of the Church by Calderwood, which embraces much larger and more authentic selections from the Registers than any other existing manuscript. All these additions to the Book of the Universal Kirk are inclosed in brackets, and distinguished by the letter C.; a few taken from Knox's History are denoted by the letter K.; and those passages where it has been occasionally found necessary to combine the contents of the leading Manuscript with those of Calderwood's History, are marked with the letters C. & B.

EDINBURGH, *April 22.* 1839.

THE BOOKE
OF THE
UNIVERSALL KIRK OF SCOTLAND:
WHEREIN THE HEADIS AND CONCLUSIIONS
DEVYSIT BE THE MINISTERIS AND COMMISSIONARES
OF THE PARTICULAR KIRKS THEREOF
ARE SPECIALLY EXPRESSED
AND CONTAINED.



A. D. M.D.LX.

THE Names of the Ministers and Commissioners of the particular Kirks of Scotland, conveyit to consult upon these things whilk are to sett forward Gods glorie, and the weill of his Kirk in this Realme, in Edinburgh the xx day of December 1560 yeirs.

Johne Knox minister, James Barron and Edward Hope, commissiounars for Edinburgh.

Christopher Gudman minister, David Spens and Maister Robert Kynpont, for St Androes.

Maister Johne Row minister, for the towne of Perth and kirk thereof.

William Darroche and William Norvell, for the towne of Striveling and kirk thereof.

Charles Drummound provest, James Witherspoone and Andrew Mylne, for Lynlithgow.

Hew Wallace of Carnall, Johne Fullerton of Dreghorne and Charles Campbell of Skeldoun, for the kirks of Kyle.

George Hoome of Spott, for the kirks of East Lauthiane.

David Lindefay minister, Andrew Lamb and Patrick Boyman, for Leith.

William Harlaw minister and Robert Fernelay of Braid, for St Cuthberts kirk.

William Christefone minister, George Lovell and William Carmichaell, for Dundie.

Alexander Guthrie of Halkertoun, William Durhame of Grange, for Forfare.

Johne Areskine of Dunne and Andrew Mylne, for Montrose.

The lairds of Tullievaird and Fethercairne, for the kirks of the Mernes.
 The laird of Gairlies gounger, for the kirks of Nithefdaile.
 Maifter David Weymis, for the kirk of Carnbie.
 Maifter Walter Balfour, for the kirk of Lyntoun.
 Johne Broun, Thomas Boyd and James Polwart, for Torphichen.
 William Lamb, William Bonkle, for Dumbar.
 James Douglas, James More, for Calder Comitis.
 John Kincaid, for Kirklistoun.
 Master Robert Wyrhame, for Ratho.

The names of them whilk the minifters and commiffionars think maift qualified for the miniftring of the word of God and facraments, and reiding of the commoun prayers publicklye in all kirks and congregations, and givin up be them every ane within there awin bounds.

In Kyle for reiding.

Ranken Davidfon, Richard Bannatyne, Robert Campbell, Hew Wallace, Andrew Lochart, Andrew Chalmer, James Dalrump, Adam Landells, all reidars, and John Chalmer apt to teach.

In St Androes for miniftreing and teaching.

Maifters Johne Rutherford, William Ramsay, James Wilkie, Robert Hamiltoun, Patrick Conftane, William Rynd, William Skene, Archibald Hamiltoun, Alexander Arbutnet, James Kirkaldie, David Collaffe, William Scott, David Weemes, Thomas Buchanan, David Spens, Robert Kynpont, Johne Wyrhame of Kirkneffe, Alexander Spens, Johne Wood, David Guild, Robert Paterfone.

Uthers whilk are thought apt and able be the minifters and commiffionars forfaids to minifter.

Johne Arefkine of Dunne, Johne Fullertoun of Kynnaber, David Forres, Patrick Kyninmonth, Mr James Melvill, Richard Melvill, Maifters Johne Kellow, Robert Montgomerie, Johne Hepburne, Thomas Hepburne, George Hepburne and William Lamb.

Mr Johne Ramsay presentit be Sir John Borthwick as minister for the kirks of Aberdoure and Tyrie.

December 21, 1560.

The ministers and commissioners forsaids being assembled, finds that the ministrie of the word and sacraments of God, and assemble of the people of the whole parochin of Restalrig, be within the kirk of Leith; and that the kirk of Restalrig, as a monument of idolatrie, be rayfit and utterlie castin downe and destroyed.

The question being proponed anent mariage in second and uther degries of consanguinitie, forbidden be the Pope to be solemnizat betwixt parties, it is found that, of the law of God, mariage may be solemnizat betwixt parties beand of second, thrid, and ferd degries of affinitie or consanguinitie, and uthers sikk as are not prohibited expreffely be the word of God; and therfor to desyre the Lords and estates to interpone there authoritie, and approve the samein, and make lawes therupon.

December 27, 1560.

The kirk appointit the election of the minister, elders and deacons, to be in the publick kirk, and the premonition to be made upon the Sunday preceeding the day of the election.

The kirk appointed that to the punishment of fornication, the law of God be observit: Publick repentance to be made be them that fall use carnall copulation betwixt the promise and solemnization of mariage.

[The petition of weights and measures was referrit to the Parliament.] C.

That all sikk as hes bein in the ministrie of the Popes kirk, good and well conditioned perfonen, that they fall live upon the almes of the kirk, with the number of poore.

Consentit be the kirk that none be put in judiciall offices to be magistrates, as proveit, baillies, and officers of townes, exceptand them who are knowin to be plaine and true professours of the Evangell.

It is also thocht expedient that earnest supplication be made to the estates of this realme in parliament, and to the lords of secreit counsell, that all judges ordinaire and officers judicial, sikk as the Lords of the Sesshoun, shireffis, stewarts, baillies, and uther judges ordinarie, be profes-

fours of the trueth of the true word of God ; and all ministers thereof to be removit fra sick offices according to the civill law.

[Item To desire the Estates in Parliament to take order with the confirmation of testaments, that pupils and orphans be not defrauded, and that lawes be made thereupon in their favours.] C

To aske at the estates of parliament and lords of secreit counsell, for eschewing of the wrath and judgement of the eternall God and removeing of the plagues threatned in his law, that sharp punishment may be made upon the persons underwriten, and uthers idolaters and mantainers thereof, in contempt of God his true religioun and acts of Parliament, whilk sayes and causes messe to be said and are present thereat within the places following.

In Nithefdaile and Galloway.

The Pryor of Whitherne and his servants in Crugletone.

The Laird of Corfwell, in Corfwell.

The Lord Cairleill.

The Laird of Kirmichaell, who causes messe daylie to be said, and images holden up, and idolatrie to be mantained within his bounds.

In Fyfe.

The Lairds of Balwerie and Lathrisk, and Mr John Scrymgeours wife.

In Kyle, Carrick and Cunninghame.

The Erles of Eglintoun and Cassills, William Hamiltoun of Cambuskeith, the abbot of Corfraguell, the parochiners of Mayboill, Girvan, Ofwald and Dalay, within the kirk whereof messe is openly said and mantained.

In East Lauthiane.

Johne Carkettle in Markill causes messe daylie to be said ; the auld ladie Hoome in Thornetoun ; the curate of Currie for abusing the sacraments.

In the Forrest of Ettrick.

The goodman of Gallowfcheils, who not only causes messe to be said, but als mantaines the sayers thereof, who are enemies to God and his trueth, and therfor were exylit out of Edinburgh.

The kirks conveinit continues this thair affemblie till the 15 day of Januar nixt to cum, and hes thocht expedient that the said day ane comissionar at the least be sent fra every kirk, for requyring of sikk things of the parliament as false thocht for the weill of the halie kirk; and every commissioner present promitteth to come themselves, or cause some others fra the kirk, the said day to the burgh of Edinburgh to the effect foresaid; and ordains every commissioner, allweill of townes as of paroch kirks to landward, to bring a roll with them of the whole teyndis, lands, annualls, profits and emoluments of the paroch kirks nixt adjacent to them, and what persones hes tacks thereof, to whom the samein pertains, and there names to be specially named, and what duetie they pay for the samein.

A. D. M.D.LXI.

At Edinburgh, the 26 of May 1561. The hail kirk conveyit in the Tolbuith of Edinburgh, hes determinit and thocht good that ane humble complaint be made and givin in, in thair names, tuitching the suppression of idolatrie, and other points after following, to the Lords of Secretit Counsell.

In the first, for suppressing of idolatrie throughout the whole realme, and punishing the users thereof, maintainers of the samein, haunters and frequenters therto.

Item, for mantaining and speciall provioun to be made for superintendents, for the erecting and establisshing of moe in places convenient, and for punishing of the contemners of the said superintendents and disobeyars of them.

Item, for ordour to be takin anent the abusers of the sacraments, and contemners of the samein.

Item, that no letters of the fessiou be givin, to anfuere or pay to any person ther teinds, without speciall provioun that the parochiners retaines sae meikle in ther hands as is appointed to the minister; and that all sick as are els givin be callit in and dischairgit, and lykewayes that no shireff give precepts to that effect.

Item, that the fessiou nor no uther judges proceed upon sick precepts or warnings, past at the instance of them that hes obtained fewes of laith of vicarages, persones mansses, and kirkyeards.

Item, that no letters take place whill the stipends contained in the Booke of Discipline for sustentation of the ministers, be first consignit in the hands at the least of the principall of the parochiners.

Item, for ordour to be takin for the punishment of such as purchaseth, and brings hame, and executes within this realme, the Popes bulles.

[The tenour of the Supplicatioun.

Pleis your Honours, and the wifdome of fick as ar prefently conveyned with you in counsaill, to understand, that be mony arguments we perceave quhat the pestilent generatioun of that Romane antichrift within the realme pretendis, to wit, that they wald of new erect thair idolatry, tak upoun thame to impyre above our conscience, and so to command us, the treu subjectes of this realme, and fick as God of his mercy hes (under our Soverane) subjected unto us, in all things to obey their appetites. Honesty craveth, and conscience movethe us, to mak the very secreits of our hairts patent to your honours in that behalf, quhilk is this, That befor that evir these tyrantes and dum dogis impyre above us, and above fick as God hes subjected unto us, that we, the barones and gentilmen professing Christ Jesus within this realme, have fullie determined to hazard lyfes, and quhatsoever we have received of our God in temporall thingis. We maist humely tharefor beseik your honours, that fick ordour may be taiken, that we have not occasioun to tak agane the sword of just defence into our handis, quhilk we have willingly (efter that God hes gevin victory, bothe to your honours and us) resigned over into your hands; to the end that Gods evangell may be publictly, within this realme, preiched; the trew preicheours thareof reffonably susteined, idolatry suppressed, and the comitteris thareof punished, according to the lawes of God and man. In doing quhareof, your honours fall find us not onely obedient unto you in all things lawfull, bot also redy at all tymes to bring under ordour and obedience fick as wald rebell against your just authority, quhilk, in absence of our Soverane, we acknowledge to be in your hands, beseiking your honours, with upricht judgement and indifferency, to luik upoun these our few artickles, and by these our brethren, to signifie unto us fick answer agane as may declair your honours worthy of that plaice, quhairunto God (efter sum dangers susteined) in his mercy hath called yow. And let these enemies of God assure thameselfis, that if your honours put not ordour unto thame, that we fall schortely tak fick ordour, that they fall neyther be abell to do quhat they list, neyther yit to leve upoun the sweit of the browes of fick as ar no detteris unto thame. Let your honours conceive nothing of us, bot all humill obedience in God. But let the Papistes be yit ones agane assured, that thair pryde and idolatry we will not suffer.] K.

May 28, 1561.

The kirk convenit, after that they heard the supplication and articles forsaide, beand put in forme, red in thair presence, at length advyfit therewith, ordainit the samein to be presented to the secreit counsell; and for presenting thereof and obtaining of anfuers therto, nominat and ordained thir brethren after mentioned to awaite theron: The Mr of Lindfay, the Laird of Fernihirst elder, Thomas Mengies provest of Aberdein, the laird of Lochinvar, the laird of Whittingham and George Lovell burges of Dundie.

Upon the whilk supplication, articles and fute thereof was grantit and followit be the lords of secreit counsell, and aēt and ordinance therupon, with letters therupon, anfuering to every heid of the said articles and supplicatioun, at length specified in the aēt of secreit counsell made therupon; whilk is to be had in the hands of Johne Johnstoun, scrybe therof, and letters and publication past therupon.

A. D. M.D.LXI.

[At Edinburgh, the day of December 1561.]

The whilk day tuiching the slander takin be the horrible fact and impietie committed within this brugh under silence of night be Marques Dalbuiff and his colligues, in breaking up of Cuthbert Ramsfay his zets and doores, and searhing and feiking his dochter in law to oppresse her, as appeirit; it is thoght good be the hail kirk, that a supplicatioun be made and givin in to the Q. Majestie, in name of the professours of the Evangell, and the persons befor nominat present the famein, to feik the anfuier therof. The forme of the supplication followeth.

To the Q. Majestie and her secreit and great counsell, Her G. faithfull and obedient subiects, the Professours of Chryft Jesus his holy Evangell, wishes the spirit of righteous judgement.

The feare of God conceivit of his holie word, the naturall and unfained love whilk we beare unto zour G. the duetie whilk we ow unto zour countrie, and the terrible threatnings whilk God pronounces against every realme and citie in the whilk horrible crymes are openly committed, and then be the committers obstinately defended, compell us, ane great part of your subiects, humblie to crave of zour Grace upright and true judgement against sick persones as hes done what in them lyes to kindle Gods wrath against this heale realme. The impietie be them committed is so haynous and so horrible, that as it is ane fact most vyle and rare to be heard of within this realme, and principallie within the bowells of this citie, soould we think ourselves guiltie in the famein, if negligentlie, or yet for worldlie feare, we passe it over with silence; and therfor zour Grace may not think that we requyre any thing, whill that we crave oppin malefactors condignely to be punished, but that whilk God hes commandit us to crave, and hes als commandit zour Grace to give to every ane of zour subiects; for be

this linke hes God knitt together the prince and the peiple, that as he commands honour, feare, and obedience, to be givin to the powers establisht be him, swa does he in expresse words command and declare what thing the prince aweth unto the subiects, to witt, that as he is the minister of God, bearing the sword for vengeance to be takin on evill doers, and for the defence of peaceable and quyet men, swa ought he to draw the same without all partialitie swa oft as he is in Godis name requyrit therto. Seeing so it is, Madame, that this cryme so recentlie committed, and that in the eyes of your heale realme now presentlie assembled, is so haynous, for who heirtfoir have heard within the bowells of Edinburgh, getts and dures under silence of night bruisit up, houses rypeit and that with hostilitie, seiking ane woman as appeirit to oppresse her, seing we say that this cryme is so haynous, that all godlie men feare not only Godis fair displeasure to fall upon you and your heale realme, but also that sick libertie breid contempt, and in the end seditioun, if remeid in tyme be not gudlie provydeit, whilk in our judgement is impossible, if severe punishment be not execute for the cryme committed: Therfor we most humblie beseik your Grace, that all affectioun laid asyde, ge declare your selfe so upright in this case, that ge may give evident demonstration to all your subiectis, that the fear of God, joynit with the love of the commoun tranquillitie, have principall feat and dominion in your G. heart. This forder, Madame, of conscience we speake, that as your Grace in Godis name does crave of us obedience, whilk to render in all things lawfull we are most willing, swa in the samein name doe we, the haill professours of Christs Evangell within this realme, crave of you, and of your counsell, sharp punishment of this cryme; and for performance therof, that without all delay the principall actors of this most haynous cryme, and the persewars of this intendit villany, may be callit befor the Cheife Justice of this realme, to suffer ane assyse, and to be punishit according to the lawes of the samein, and your Graces ansuer we most humblie beseik.] R. K.

A. D. M.D.LXII.

THE Convention of the Kirk of Scotland, gatherit in Edinburgh, the penult day of Junij 1562, in the whilk were present the Superintendents, Ministers, and Commissioners afterwritten.

Superintendents.

Maisters Johne Spotifwood of Lauthiane, John Wyrhame of Fyffe, John Willock of Glasgow, Johne Areskine of Dun of Angus, Johne Carswell of Argyle.

Ministers and Commissioners.

Johne Knox minister of Edinburgh, James Barron and Edward Hope, commissioners, James Jong, Mr David Lindesay minister at Leith, Patrick Cockburne and Johne Broun, commissioners, Mr John Craig minister at Halierudehouse, John Hart and William Ofwald, commissioners, William Harlaw minister of St Cuthbert's kirk, Johne Burne minister of Muffilbrugh, Mr Thomas Cranstoun minister at Tranent, Alexander Forrester minister at Libbertoun, Mr George Fuird minister of Dummanie, Mr David Weymis minister of Ratho, David Cunningham minister of Lanerick, James Walker minister of Steinstoun, Paul Methven minister of Jedbrugh, Mr George Hay minister at Edilstoun, Christopher Gudman minister at St Androes, Mr George Leslie minister at Straithmiglow, Richard Melvill minister at Inchbraock and Maritoun, Johne Douglas of Pumfrestoun and John Douglas in Howden, commissioners of the kirk of Calder, the laird of Spot commissioner for Dunbar, and diverse in the Merse, James Fleyming elder and commissioner of Glasgow, the laird of Lye commissioner of Lanerick, the laird of Barre commissioner of Kyle, Johne Cathcart of Cariltoun commissioner of Carrick, Mr Robert Pont elder and commissioner of St Androes, Thomas Scott of Hayning commissioner for Selcraig and Melros.

The whilk day the forenameit conveyit in Mr Hendrie Lands house, and after prayer, the heids and articles following were treated.

That unities of doctrine may be retained among the ministers, that errors may be avoydit, that maners may be reformed, vyce punished without exception of persons, and swa that vertue and knowledge may be univervally planted through this realme.

Because the lyves of ministers aught to be sick as therby uthers may be provokit to godlines, it becomes them first to be tryed; and therfor, after the tryall of the superintendents, if any man have to accuse them in life, doctrine, or execution of their office, the elders of every kirk man be chargeit in Gods behalfe, to declare there conscience of there ministers, tuiching there doctrine, lyfe, manners and conversation. If any be accused and convict of any notable cryme, he must be subiect to the censure of the kirk, and suffer punishment and admonition as they fall pronounce.

After the ministers, the elders of every kirk must be tryed, if any hes to lay to the charge of any of them. The accused, whether he be minister or elder, aught to be removed out of the assembly whill his cause be tryit; if he be convict, he can have no vote whill the kirk receive satisfactioun.

After tryall be tane of the haile, then man every superintendent, with the ministers and elders within his dyocie, expone to the kirk the state of the kirk among them, note the offences and crymes that they know, to the end that the whole may devyse some wholesome remeid, or at least make supplicatioun to the superiour powers for the samein, and least that confusioun should happin through rashnes and hastines, lotes wald be castin what dyocie should first be heard, what secondlie, and swa fourth of the rest.

[It was ordained, that if ministers be disobedient to superintendents in any thing belonging to edification, they must be subiect to correction.

It was ordained, that a charge should pass from every superintendent to all ministers within the bounds, to warn thair kirks of the order taken; to wit, that the said superintendents, ministers, elders, and deacons doe willingly subiect themselves to discipline; and if any man have any thing to lay justly to thair charge, that they doe the same at the next Assembly, which is to be holden in December, and that no minister leave his flocke for coming to the said assembly, except he have complaints to make, or else be complained on, or at least be warned thairto be the superintendent.] C.

The second Sessioun haldin the last day of Junij 1562.

[It was answered by the Affembly to the petition of Mr Alexander Gordon, anent the superintendship of Galloway, first, that they understand not how he hath any nomination or presentation, either be the Lords of Secret Counsell or province of Galloway. Secondly, Albeit he had presentation of the lords, yet he has not observed the order kept in the election of superintendents, and therfor cannot acknowledge him for a superintendent lawfully called for the present, but offered unto him their aid and assistance, if the kirks of Galloway shall suit, and the lords present; and requireth that before he depart, he subscribe the Book of Discipline. Farther, it was concluded that letters should be sent to the kirks of Galloway to learn whither they required any superintendent or not, and whom they required.] C.

It is concludit be the hail ministers assembled, that all ministers false subject to ther superintendents in all lawfull admonitions, as is prescript allweill in the Booke of Discipline as in the election of superintendents.

[That so many ministers as have been accepted of their kirks, after triall offered and liberty granted to them to receive or refuse, shall remain as lawfull ministers, unless from that time they have been found criminal in life or doctrine; and that such as serve in the kirks without publick and free admision, it shall be free for the kirks to receive or refuse them, as they be able to render the cause why they refuse.

That the examination of all these who have not been examined already shall be in the presence of the superintendent, and of the best reformed kirk within his bounds nearest the place where the minister is to be established; providing always that the judgement of the best learned being present be sought in the examination and admision, and that he who shall be so admitted shall not be removed, according to the order of the Book of Discipline.] C.

That superintendents take count what bookes every minister hes in store in the tyme of their visitation, and how the said minister, and every one of them, does profite from tyme to tyme in reiding and studying the samein.

[The Affembly ordained the superintendent of Lothian to summond Michael Smith, pretended minister of Strabroke, to purge himself of certain

crimes laid and to be laid to his charge; and Mr George Hepburn, parson of Hauch, to answer to such things as shall be laid to his charge.

The slander raised upon Mr Robert Hamilton, minister of Hamiltoun, was remitted to the tryal of the superintendent of Glasgow, to remove him out of the ministry if he thought expedient.

The Assembly decerned letters to be directed to the elders, deacons and whole kirk of Crail, to require them, as they would answer in the presence of God, to signify to the Assembly with all diligence, whither Mr John Melvill thair minister was accused be the whole kirk, or be any privat faction; whither the whole kirk requireth his removal, or the most part, or only some particular perfones.] C.

The thrid Session haldin the first of Julij 1562.

It is concludit that the minister shall requyre his elders and every ane of them to assist him in all his lawfull assemblies; in the whilk if they be fund negligent, then shall he proceed to all admonitiouns, according to the rule of Chryst; whilk if they or any of them obey not, then shall the minister, with so many of the kirk as will subscribe with him, notify the matter to the superintendent, and if he be this can profite nothing, that then be his advyse the inobedient be pronounced excommunicat; and the magistrate subiect to the rule of Chryst be not exeimed fra the samein punishment, being fund guiltie or inobedient.

[Touching persons to be nominat to kirks, that nane be admitted without the nomination of the people, and due examination and admiffion of the superintendent; and who have been otherwayes intrused since the zeir 1558, to make supplication for their provision according to the foresaid act.

After the ministers, exhorters, and readers had complained of the smalness of their stipends, it was concluded, that every ane of them should give in their particular complaint to their superintendents, showing as well the valour of their stipend, as why they cannot live reasonably thairupon, that the Assembly may make supplication to the Quenis Grace and Counsell for redrefs of the same; and this is to be done before the last day of September next to come.

And in like manner, becaus many ministers complain of not payment of their stipends, in default of the third of divers persons given be the

Quenis Grace to these who are in possession of the kirks presently, it was thought good to require of her Highness and Counsell, that order might be taken how the said complainers might be payed.

Alfwa in consideration that the ministry in certain burrowes complained for want of their stipends allowed unto them, because of the smalness of the third part of the teinds given to her Highness pertaining to the said burrowes, it was thought good to crave of her Majesty and Counsell how the said ministers should be sustained.] C.

To make supplication to the hier powers for the mannes and aikers to ministers to dwell in, according to the Booke of Discipline, and the kirks to be repairit that are decayit, conforme to the act of the Lords of the Secret Counsell pronouncit before the Quenis Graces hame comeing.

[In like manner, to prefer supplication for the poor and their support; for maintainance of schools for instruction of the youth in every parish; and the same to be taken of the twa part of the teinds, and within burrows of the annual rents, and other such things as before served to idolatrie.

The 4th Session haldin the 2d day of July.

At the desire of the Assembly, compeared Mr John Sharp, and after long reasoning be the said Mr John, it was asked whither he would serve in the kirk of God in such place as the Assembly would place him into. He answered, he was content to bestow the gifts he had to the comfort of the kirk of God; but for so much as the charge required the preaching of the Evangel and ministration of the sacraments, the consideration of his present ignorance in the Scriptures, could not accept the same till the time of farther knowledge. The Assembly finding him able to preach the word and minister the sacraments, as he had done before times, charged him to reenter to the ministry, the place where he should minister being reserved to farther deliberation.

It was ordained that Mr Craig should be joined with Mr Knox in the ministry of Edinburgh; that Mr James Greg should assist the superintendent of Glasgow till Michaelmas next to come, and thereafter to teach in the parishes belonging to the Lord Areskine, till the next Assembly.

Mr George Hay the superintendent of Glasgow, Mr Robert Hamilton minister of Machline and Uchiltrie, were appointed to preach in the un-

planted kirks of Carick successively one after another monthly till the next Affembly.

Mr James Pont was appointed to minister the word and sacraments in Melrofs till the next Affembly ; Mr Robert Pont appointed to minister till the next Affembly in Dumblane.] C.

The fyft Sessioun, haldin at Edinburgh the 3d of Julij 1562.

[David Forrest was requested to take on the Ministrie.] C.

The hail kirks appoints and descernes Mr John Sharp and Robert Wilson to minister in sik kirks as salbe thocht good be the kirk.

The saxt Sessioun, 4 July 1562.

[It was concludit that Mr John Sharp should reenter in the ministrie, and to serve in the kirk whilk the superintendent of Lothian should appoint, and if he refused, that the censures of the kirk be execute against him.

David Forrest's answer was referred to the superintendent of Lothian and kirk of Edinburgh ; Mr Patrick Cockburn, Mr Thomas Hepburne, Mr David Lindfay, or else Mr John Craig, were appointed to teach in the unplanted kirks of the Merce thair month by course.

John Dowglafs of Pumferston, complaining in name of the kirk of Calder, that they are defrauded divers times of the preaching of the word, since their minister was elected superintendent of Lothian, desired the said superintendent to be restored to them again, or some qualified minister to be provided to them. It was answered, the profit of many kirks was to be preferred to the profit of one particular, and that the kirk of Calder should either be occupied by himself, or by some other qualified person in his absence, which could not be otherways helped in this rarity of the ministry, and that they should have complained when the publick edict was set furth 20 days before his admiffion.

The Affembly being informed that Mr David Spense gave institution, by vertue of the Popes bulls, to Mr Robert Auchinmouty, of the prebendry of Ruffell, the 25 of June last by past, ordained that the superintendents of Fife and Lothian take order respective with the foresaid persons,

and to informe the Justice Clerk, to call them to particular diets for breaking of the Quenis acts, if they find the matter clearly tryed, and that the superintendent of Lothian signify the matter to the Duke.] C.

Touching the removeing of idolatrie, the kirk now as of befoir, concludes humble supplicatioun to be givin in to her Hienes; but the maner how, they have referrit to further consultatioun of the godly of her Majesties secreit counsell.

Item, That supplication be made to her Hienes for punishing of all vices commanded be the law of God to be punished, and get not commandit to be punished be the law of the realme; viz. blasphemie of Godis name, contempt of his word and sacraments, profanation of the samein be sik as were not lawfullie callit to the ministratioun thereof, perjurie and takeing of the name of God commonly in vaine, breakers of the Sabbath day in keeping of commoun mercatts, adulterie, fornication, filthie talking; and further, that punishment be exactit upon the transgressours of the last proclamation made agains masse mongers or heirars.

[Item, that suit be made to the Justice Clerk, for order to be taken with Mr William Scott of Balwery, for disobedienc to the superintendent of Fife, and Mr James M^cVerit in Bute, for disobedienc to the superintendent of Argyle.] C.

Item, that supplication be made to the secreit counsell, for assistance of the superintendent of Angus to visit the shierifdoms of Aberdeen and Bamf, according to the commissioun given to him be the Asssembly in December last by past. This Asssembly joined to him as associats Mr Christopher Gudman and Mr John Row.] C.

Anent the actiouns of divorcements, to make supplicatioun to the secreit counsell, that either they give up universallie the judgement of divorce to the kirk and their sessiouns, or els to establish men of good lyves, knowledge and judgement, to take the order thereof; provyding alwayes that the saids Lords make provisioun and ordinance how the guiltie persons divorced salbe punished.

[The tenour of the Supplicatioun which was to be presented to the Quenis Majesty and her Counsell was red in oppin audience of the Asssemblie and approved as followeth :—

To the Quenis Majestie, and her most honorable Privie Counsaill, the Superintendents and Ministers of the Evangell of Jesus Christ within this Realme, togidder with the Commissioners of the haille Kirk, desyre Grace and Peace from God the Father of our Lord Jesus Christ, with the Spirit of righteous judgment.

Having in mynd that fearfull sentence, pronounced by the eternall God against the watchmen that see the sworde of Gods punishment approche, and do not in plane words forewarne the people, yea, the princes and rewlars, that they may repent, we cannot bot signifie unto your Hienes and Counsaill, that the state of this realme is sik for this present, that unless redress and remedie be schortly provyded, that Godis hand cannot long spair in his angre, to stryke the head and the taill; the inobedient prince and sinful people: For as God is unchangeable and trew, so must he punish in these our dayes, the grevous sinnes quhilk befor we reid he hes punished in all ages, efter that he hes long called for repentance and none is schawn.

And that your Grace and Counsaill may understand quhat be the things we desyre to be reformed, we will begin at that quhilk we assuredly know to be the fontane and spring of uther evils that now abound in this realme, to wit, that idoll and bastard service of God, the Mefs. The fountain we call it of all impietie, not only becaus manie tak bauldnes to sin by reasone of that opinion quhilk they have conceaved of that Idoll, to wit, that by the vertew of it they get remission of thair sinnes, but also becaus that under the color of the Mefs, ar hoores, adulterars, drunkards, blasphemars of God, of his holie Word and Sacraments, and sik uther manifest malefactours, mainteyned and defended; for let any Mess-layer, or earnest manteyner thairof be deprehended in any of the forenamed crymes, na executioun can be had, for all is done in hatrent of his religioun, and so ar wicked men permitted to live wickedlie, clocked and defended by that odious Idoll. Bot supposing that the Mefs wer occasioun of na sik evils, yet in the self it is so odious in Gods presens, that we cannot ceas with

all instance to defyre the removing of the same, alsweill from yourself as from all uthers within this Realme, tacking heavin and eirth, yea, and your own conscience to record, that the obstinat manteynance of that Idoll fall in the end be to you destructioun of faull and body.

If your Majesty demand, quhy that now we ar more ernest then we have bene heirtfore ; We answer, (our former silence no ways excused) becaus we find us frustrat of our hope and expectatioun ; quhilk was, that in proceffe of tyme your Graces hart fould have bene mollified, so far as that ye wald have hard the publiēt doctrine taught within this Realme ; by the quhilk, our farther hope was, that Gods Halie Spirit fould so have moved your hait, that ye wald have suffered your religioun (quhilk before God is nothing bot abominatioun and vanitie) to have bene tryed by the trew tuich-stane, the written word of God ; and that your Grace finding it to have no ground nor foundatioun in the same, fuld have gevin that glory unto God, that ye wald have prefered his treuth unto your own preconceived vain opinion, of quhat antiquitie that ever it hes bene. Quhareof we in a pairt now disappointed, can no longer keape silence, unless we wald mak our selfis criminall befor God of your blude, perisfching in your own iniquitie ; for we planely admonishe you of the dangers to cum.

The secound that we requyre, is punisfchment of horibill vices, sick as ar adultery, fornicatioun, oppin horedome, blasphemy, contempt of God, of his Word and Sacraments ; quhilks in this Realme, for lack of punisfchment, do even now sa abound, that sin is reputed to be no sin. And thairfore, as that we see the present signes of Gods wrayth now manifestly appear, so do we forewarne, that he will stryke, or it be long, if his law without punisfchment be permitted thus manifestly to be contemned. If any object, that punisfchment cannot be commanded to be executed without a Parliament ; we answer, that the eternall God in his Parliament hes pronounced death to be the punisfchment for adulterie and for blasphemie ; quhose acts if ye put not to executioun (seeing that Kings ar but his lieutenants, having no power to give lyfe, quhare he commands death) as that he will repute you, and all uthers that foster vice, patrons of impietie, so will he not fail to punisfch you for neglecting of his judgements.

Our third request concernes the pure, quho be of thre forts : The pure laborars of the ground ; the pure desolate beggars, orphelins, widowes, and

strangears; and the pure ministers of Christ Jesus his halie Evangell, quhilk all ar so cruelly entreated by this last pretended ordour takin for sustentatioun of ministers, that thair latter misery far surmounteth the former; for now the pure laborars of the ground ar so oppressed by the cruelty of those that pay thair thrid, that thay for the most pairt advance upon the pure, quhatsoever they pay to the Quene, or to any uther. As for the very indigent and pure, to quhom God commandes a sustentatioun to be provyded off the teyndes, they are so despyfed, that it is a wonder that the sone giveth lycht and heat unto the earth, quhare Gods name is so frequently called upoun, and no mercy (according to his comandements) schawin to his creatures.

And as for the ministers, thair livings are so appoynted, that the most pairt fall live but a beggars lyfe. And all cometh of that impiety, that the ydle bellies of Christs enemies mon be fed in thair former delicacy. We dar not conceill from your Grace and Honours our conscience, quhilk is this, That neyther by the law of God, neyther yet by any just law of man, is any thing dew unto thame, quho now most cruelly do exact off the pure and riche, the twa pairts of thair benefices, as they call thame. And thairfore we most humilly requyre, that some uther ordour be takin with thame, nor that they be set up agane to impyre above the peple of God, eyther yet above any subjeēt within this realme; for we fear that sik usurpation to thair formare state, be nether in the end pleasing to thame-selves, nor profitable to thame that wald place thame in that tyranny. If any think that a competent living is to be assigned to thame, we repugne not, provyded that the labourars of the ground be not oppressed, the pure be not utterly neglected, and the ministers of the word so scharpely entreated as now they ar. And fynalie, that those ydle bellies, quho by law can crave nothing, fall confes that they receive thair sustentatioun, not of debt, bot as of benevolence. Our humble request is thairfore, that some suddane ordour may be takin, that the pure labourars may find some relief, and that in every parochin some portioun of the teyndes may be assigned to the sustentatioun of the pure within the same. And lykwyse that sum publiēt relief may be provyded for the pure within burghis, that collectors may be appoynted to gather, and right schairp countes may be taken, allweill of thair receat as of thair delyverance. The farther consideration to be had to our ministers, we in sum pairt remitt to your wisdomes, and unto thair particular complaints.

Our fourt petition is for the manfes, yairds and gleibs justly appertaining to the minifters, without the quhilk it is impossible unto thame quyety to ferve thair charges; and thairfore we defyre that ordour be takin thairintill without delay.

Our fyft concerneth the inobedience of certane wicked perfones, who not only truble, and have trubled minifters within thair functionis, bot also difobey the fuperintendents in thair vifitatioun; quhareof we humblie crave remedy; quhilk we do not fa mekle for any fear that we and our minifters have of the papiftes, bot for the love we bear to the commone tranquillity. For this we cannot hyd from your Majeftie and counsaill, that if the papifts think to triumph quhare they may, and to do quhat they lift, quhare thair is not a pairtie able to refift thame, that fum will think, that the godly mon begin quhare they left, quho heirtfore have borne all things patiently, in hope that lawes fuld have bryddled the wicked; quhareof if they be fruffrat, (albeit that nothing be more odious to thame then tumults and domefticall discords) yet will men attempt the uttermoft, befor that in thair awn eyes they behold that hous of God demolifched, quhilk with travell and danger God hath within this realme erected by thame.

Last, we defyre that fick as have received remiffioun of thair thriddes, be compelled to fustene the minifterie within thair boundes, or els we forwarne your Grace and counsaill, that we feir that the peple fall retene the haille in thair hands, untill fick tyme as thair minifters be fufficiently provyded. We farder defyre the kirks to be repared according to an act fett forth by the Lords of the Secret Counsaill, befor your Majefties arryvall in this country: That juges be appoynted to hear the caufes of divorcement; for the kirk can no longer fustene that burthen, efpecialie becaus thair is no punifchment for the offendars: That fayers and hearers of mefs, prophaners of the facraments, fik as have entered into benefices be the Paipes bulles, and fick uther transgreffors of the law maid at your Graces arryvall within this realme, may be feverely punifched; for els men will think that thair is no treuth ment in making of fik lawes. Farther, we maift humely defyre of your Grace and Honorabill Counsaill, a refolute answer to every ane of the heades forewritten, that the fame being knawn, we may fumquhat fatiffie fik as be grevously offended at manifft iniquity now maintyned, at oppreffion under pretext of law done againft the pure, and at the rebellious difobedience of many wicked perfons againft Gods word and holy ordinance.

God the Father of our Lord Jesus Christ, fo reull your hairtes, and direct your Grace and Counsaills jugements by the dytament and illumination of his Holie Spirit, that ye may answer fo as that your consciences may be absolved in the presence of that rychteous Juge, the Lord Jesus; and then we doubt not bot ye yourfelves shall find felicity, and this pure realme, that lang hes bene oppressed by wicked men, shall enjoy tranquillitie and rest, with the trew knowledge of God.] K. C.

And fwa diffolves this Assemblie, and appointit to conveye again the xxv of December nixt to cum in Edinburgh.

Sic subscribitur,

JOHNE GRAY.

A. D. M.D.LXII.

THE Generall Affemblic of the Kirk of Scotland conveyit at Edinburgh the xxv of December 1562; in the whilk were present the Superintendents, Ministers and Commiffionars.

The whilk day the foirnameit affembleit in the auld Counsell house. John Knox minister of Edinburgh callit upon Goddis name for the assist-
ance of his holie spirit.

[Mr Robert Cumming schoolmaster of Arbrothe was complained upon be the Laird of Dun Superintendent of Angus and Mernes, for infecting the youth committed to his charge with idolatrie. C.]

Sessio 2^a haldin the 28 of the said month.

[According to the order takin at the last Affemblic, becaus the Superintendent of Lowthian was absent who fould first have been tryed, the Superintendent of Fife was removed, and the ministeris and commiffioneris of the said diocie who wer present for the time wer required if they or any of them had any thing to lay to his charge touching his manneris, conversatioun, doctrine, and executioun of his office, that they would declair it. It wes murmurit be findrie ministeris, that he wes somewhat slack in his visitatiounis, and remanit not at the kirkis for ordering such things as wer necessar for the same; that he wes too much gevin to wordlie affairis, slack in preaching, rash in excommunicatioun, sharper nor became him in making acts for payment of small tithes.

The Superintendent of Angus wes removed next. It wes laid to his charge, that there wer manie popishe preistis, unabill and of wicked life, admitted to reading at kirkis within his diocie. 2. That some young men wer rashlie admitted to the ministrie, and to be exhortaris, without such trial and examinatioun as ar required in the Book of Discipline. 3. That gentilmen of vitious lives wer chosen to be elderis in divers kirkis. 4. That

fundrie ministeris under his jurisdiction remanit not at thair kirkis, visit not the feik in thair extremitie, and alsua that the youth is not instructed. 5. That some ministeris come ouer lait to the kirkis wher they sould preach on the Lordis day, so that the peopill doe wearie staying upon thaim, and incontinent the sermon being ended, they depart. 6. That the ministeris resort not to the exercise, according to the order set down in the Book of Discipline.

The Superintendent, after he came in again, rendered up the Commission he received from the Assemblie for visiting the North, and establishing ministers, elders and deacons in the kirk.

Thereafter the ministers of Fife wer removed, and the Superintendent and Commissioners wer required to declair what they knew to be laid to their charge. Then the ministers of Mernes and Angus wer removed and tryed. Then the Superintendent of Lothian, now being present, was removed and tryed. It was required be the Commissioners of Edinburgh, that he wold sometimes preache in their Kirks, as the principall rounge within his Jurisdiction : and others required, that he wold visite Mussilburgh and Stirling oftener. Thereafter the Ministers of Lowthiane and Stirling-shire war removed and tried.

It was concluded, That the Superintendent fall cause present the names of Ministers, Exhorters and Readers, to the Lords appointed be the Queen's Majestie for assigning of their Stipends, and that in thir presentations be specified the entrie of these that ar presented, to be at Allhallowmes, Lambmes, Candlemes or Beltan, together with the yere of God, that they may receive payment at the terme after their entrie, and sua furthe quarterlie. And if it fall happen that anie Minister, Exhorter or Reader depart at the pleasure of God, the intrant fall receive payment *pro rata servitii* ; that the executors of the defunct fall receive payment for the time he hath served : And this order to be observed hereafter. Anent the sustentation of the ministers, exhortars and reidars within burrowes, my Lord Controller requyrit the hail comissioners of burrowes presentlie convenit at this assemblie, that they wold signifie unto him by word or write within ane competent space, what releife they wold make to the sustentation of the ministers forsaid, in respect that they were befor burthened with diverse charges for uphalding of sick as called themselves ministers in the abused kirk. C.]

Sessio 3^a haldin the 29 of December 1562.

The kirk presentlie assemblit ordaines that inhibition falbe made to all and fundrie persons now serving in the ministrie, who hes entrit being slanderous befor in doctrine hes not satisfied the kirk. Secondlie, that hes not bein presented be the peiple or ane pairt thereof to the superintendent, and he after examination and tryall hes not appointed them to their charges, and this act to have strenght as weill against them that are callit bischops as uthers pretending to any ministrie within the kirk: [And ordaineth the same act to be promulgat be the superintendents in their diocies; and where there ar not superintendents, be commissioners sent from the Assemblie, the copie thereof to be affixed upon the principall kirk-doores. And if anie person, after inhibition made, contemptuousslie continue in his ministrie, the Assemblie ordaines to proceed against him be censures, to excommunication, unless be his letters to the commissioners, or nixt superintendent, he give signification of his obedience, and promise to accept the same charge according as they fall command him. And in that case the Assemblie decerned, that with libertie and freedom of conscience, and also without danger of the former paine, he may continue in his ministrie till the nixt Assemblie; at which time it is ordained, that they present themselves before the Assemblie. And that this act comprehend also exhorters and readers.

Beccaus it is complained, That the north countrie for the most part was destitute of ministers, and that the order of the election and admision of the superintendent of Aberdeen was not putt in execution; the Assemblie appointed Mr George Hay, Mr Johne Row and Adam Heriot, to be proponed in lites to the said kirk, and edicts to pass furth thereupon with all expedition; and committed the charge of inauguration of the person elected, to the Superintendents of Fyfe and Angus, and suche learned men as they fall chose; and appointed the kirk of Old Aberdeen to be the place of admision. And in case ather Mr Johne Row or Adam Heriot falbe elected to the said office, the Assemblie nominat Mr James Wilkie, Patrick Coufson and Robert Hamilton, to be proponed in lites to the kirks destitute of their ministrie.

A commission was given to Mr Johne Hepburne Minister of Brechin, to pass to Murray, and there to preache the gospell; and if it fall chance that

he fall find anie qualified perfons apt to be minifters, exhorters or readers, that he fend them to the fuperintendent to be appointed for Aberdeen and Bamf, to be tried, and admitted to their offices refpectivé: And it was ordained this commiffion fould endure till the nixt Affemblic.

David Forreft, notwithstanding he objected his owne inabilityie, was charged by the whole Affemblic, as he wold avoide difobedience to their voices, without farther delay, to addrefse himfelf to enter in the miniftrie where he falbe appointed, feing it was knowen fufficientlie that he was able for that function. He and Mr Patrick Cockburne war proponed in lites for the Superintendentfhip of Jedburgh. It was decerned, that edicts fould be fett furth for their admiffion againft the firft Lord's day of Marche nixt to come in the kirk of Jedburgh. The fuperintendent of Lowthiane, Mr Knox, and fuch other learned men as they fould choofe to affift them, war appointed to inaugurate the perfon elected.

For the planting to kirks in the Shirefdoms of Dumfries, Galloway and Nithfdail, and the reft of the Weft Dails, the Affemblic nominat in lites for the Superintendentfhip, Mr Alexander Gordon entituled Bifhop of Galloway, and Mr Robert Pont minifter of Dunkell: Ordained edicts to be fett furth for the admiffion upon the laft Lords day of April, and appointed the Superintendent of Glasgou, Mr Knox minifter of Edinburgh, Mr Robert Hamilton minifter of Vchiltrie and Mauchlin, and other learned men, to be prefent at the inauguration of the perfon elected; the place of admiffion to be the parifh-kirk of Drumfries. In the weane tyme the Affemblic giveth commiffion to Mr Alexander to admitt minifters, exhorters and readers, and to doe fuch other things as war before accustomed in planting of kirks. C.]

Mr Archibald Keith, minifter of Logie and Balmerinoch, was discernit be the Kirk to be tranflated fra the forfaids kirks to fick place as where his ftipend fould be more aboundantlie givin him, in cafe he be not reasonable fatiffiet be the Lords appointit to modifie the minifters ftipends, provydit that he change not at his awin privat opinion; but to have therein the judgement and appointment of the Kirk, who fall give there judgement heirin or this Affemblic be diffolved.

Sessiou 4, haldin the 30 day of December 1562.

[Commission was given to Mr Knox to goe to Jedburgh, and to take triell upon the thrid day of Januarie nixt to come, of the slander raised against Paul Methven late minister of the said burgh; and after triell, to report to the session or consistorie of the kirk of Edinburgh, to whom, with the Superintendent of Lowthiane, the Assemblie giveth power to discern, and pronounce sentence. C.]

The kirk presentlie assemblit gives power to every superintendent within there awin bounds, in there assemblies synodall, with consent of the maist pairt of the elders and ministers of kirks, to translate ministers fra ane kirk to another, as they shall consider the necessitie, and in lyke maner charges the minister so translated to obey the voice and comandement of the superintendent.

And ordains farther, that the superintendents appoint there Synodall Assemblies twyce in the geir, to witt, in the moneths of Apryle and October, on sick dayes within the saids moneths as the superintendent shall thinke good; and that they give sufficient advertisement to the particular kirks, that the minister with ane elder or deacon may repaire toward the place appointed be the superintendents at the day that shalbe affixed be them, to consult upon the comon affaires of there diocies.

[Some ministers war appointed for particular places; Mr James Pont for my Lord Areskine, Mr James Foullis for Dunkell, Mr James Wilkie, or Mr Patrick Coufston, if he be not chosen for St Johnston, for Aberdeen; Mr Robert Hamilton for Hamilton, Mr Johne Keith to be placed by the Superintendent of Aberdeen in Buchan, Mr Robert Narne for Deir, Mr Arthure Forbese to be placed at the discretion of the Superintendent of Fyfe and Rector of St Andrews, Mr James Greg for Carict, if the Lord Areskine could be moved to consent. C.]

Sessio 5^{ta}, haldin the last of December 1562.

The Kirk gives comission to the Superintendents of Angus, Lowthiane, Glasgow and Fyfe, with David Forrester, to travell with the Lords of Secret Counsell to know what causes shall come in judgement to the kirk, and what ordour of execution shalbe tane therein.

[Item, To travell for abolishing of mercats holding upon the Lord's day throughout the realme. Item, Commission given to Mr Knox to make supplication both by word and writt to the Queen's Majestie, for support of the poore.

Notwithstanding of the nomination of superintendents for Aberdeen, Bamf, Jedburgh and Dumfries, made before in the thrid session, the Assemblie remitted farther advisement and nomination of the persons to the Lords of Secret Counsell, providing the days appointed for the admision be not altered. C.]

It is concludit that ane uniforme ordour salbe takin or keipit in the administratioun of the Sacraments and solemnization of mariages and burials of the dead, according to the Booke of Geneva.

Attour, ordains the communion to be ministrat four tymes in the geir within burrowes, and twyse in the geir to landwart.

[The superintendents war appointed to confer with the Lords of Secret Counsell, anent the charges to be bestowed for the elements at the Lord's Supper. C.]

For sameikle as it was heavilie lamentit be the maist pairt of the ministers, that they can have no dwelling places at there kirks, because the mansses are either deteinit be the persons or vicars of the samein, or els sett in few or otherwayes to gentlemen: The Clerk Register and Justice Clerk desyre the superintendents to signifie to the Clerk of the Rentales where the saids mansses are, and in what countrey, to the effect that the saids mansses may be assignit to the Quenis G. thrid part, and thereafter that the saids ministers compleinand may be staiked and helped to the samein, for there comoditie and remaining with there flocke.

Notwithstanding the proponeing and nominatioun of the superintendents for Aberdeen, Bamfe, Jedbrucht and Dumfreis, appointed of befor in the thrid session, and the days appointit for electioun of the samein, the hail kirk remitts farder advisement and nomination of the persones to the Lords of the Secret Counsell, provydeing alwayes that the days appointed for their electioun be not prolonged.

It is ordainit, that no minister nor others bearing office within the Kirk, take in hand to cognosce and decide in the actiouns of divorcement, except the superintendents, and they to whom they fall give special commissioun, and betwixt special persons.

[After invocation of the name of God made be Maister Knox minister of Edinburgh, the Assemblie dissolved. C.]

A. D. M.D.LXIII.

THE Generall Assemblie of the Kirk of Scotland, conveyit and haldin at St Johnstoun, the xxv of Junij 1563. In the whilk were assemblit the Superintendents, Ministers and Comissioners of the Kirk.

Prayer is made be Master Johne Willock, Superintendent of the West. Superintendents and ministers are tryed.

[The triell of the superintendent of Fyfe was delayed till the day following, at the desire of the ministers and commissioners of Fyfe. Mr Alexander Gordon, stiled Bishop of Galloway, having gotten commission before to plant ministers, exhorters, readers, and other office-bearers requisite for a reformed kirk within the bounds of Galloway, was removed to be tried. The laird of Gairlies younger complained that the said commissioner had not ministred justice to Margaret Murrey, complaining upon her husband Golfride Makculloch for none-adherence. Bot the commissioner could not satisfie the Assemblie with anie sufficient excuse. C.]

Johne Knox minister of Edinburgh, having commissioun givin to him, and certain elders and deacons of the kirk of Edinbrugh, to take cognitioun of the slander raisit agains Paul Methwen, late minister at Jedbrucht, anent adulterie committed be the said Paul with ane

, his servant, the said Mr Knox declarit the haill cause, what he had found in the foirsaid slander, viz. The said Paul to have committed the said abhominable cryme of adulterie, and therfor, with advyce of the Kirk of Edinburgh, superintendent of Lowthiane and collegues above mentioned, had removed him fra all ministrie, and also excommunicat him; and sva having put his said commissioun to execution, rendered up the same to the General Assemblie, fra whom he received it.

Mr John Rutherfurd, principall of St Salvator's Colledge, complained that Mr John Balfour usurpit the ministrie at Cultis, being unqualifiet to

discharge the same ; and seeing the kirk pertainit to him as principall, he offerit himselfe to minister according to the talent givin him be God. The Kirk heiring his complaint and offer, ordainit the said Mr Johne to accept the office, who in presens of the Assembly accepted the same.

The said day David Fergusone, minister at Dumfermling, declared in the publick assemblee, that he had spokin Paul Methven, lately excommunicat, whom he fand verie sorrowfull for his grievous offence committed be him in maner above rehearsed, and also sick repentance for the same, that he wald underly whatsoever punishment the kirk of God wald lay upon him, even if it were to lose any member of his bodie, to satisfie the same. After long reasoning of the whole Assemblee of the said repentance and offer reportit be the said minister, the Kirk condescendit that the said Paul sould have a comfortable answer ; and attour that they in the meane-tyme sould speake the Lords of the Privie Counsell theranent.

[Commissions war given to the bishops of Galloway, Orkney and Caithness, for the space of a yeere, to plant kirks, &c. within their owne bounds, and that the bishop of Galloway haunt asweill the shirefdome of Wigton as the stewartie of Kirkubrich, reckoned to be within his owne bounds. It was ordained lykeways, That qualified men sould be putt in election for a superintendentship in Teviotdail, Nithisdail, Annandaill and Selkirk, or that commission be given to some qualified men for the yeere nixt to come, to plant kirks in the said bounds ; and in like manner to requiest the secreet counsell to provide for superintendents or commissioners to plant kirks in the south parts. C.]

Scffio 2^a haldin the 26 of June 1563.

The whilk day the Kirk pronouncit that no contract of mariage alledged to be made secretly, carnall copulation following, fall have faith in judgement in tyme comeing, untill the tyme that the contractors suffer as breakers of good ordour and slanderers of the kirk ; and thereafter that faith fall not be givin unto that promise, unto sick tyme as famous and unsuspected witnesses affirme the same, or els the parties confels it ; and in case that probation nor confession follow not, that the saids offenders be punishit as fornicators.

Concerning the ordour of appellatioune, it is statute and ordainit, that if

any person find himselfe hurt be any sentence givin be any ministers, elders or deacons of the kirk, it salbe leifum to the partie so hurt to appeale to the superintendent of the dyocie and his synodall conventioun, within ten dayes nixt after ; and the said superintendent fall take cognitioun whither it was weill appealit or not, and give his sentence therupon ; and if the partie get alledges him hurt be the superintendent and his conventioun, it salbe lawfull to appeale to the Generall Assemblie of the kirk immediately thereafter following, within ten dayes as of befoir, and the said Assemblie to take cognitioun of the said appellatioun, whither it was weill appealed or not, and thereafter to pronounce sentence therintill, fra the whilk it fall not be leifum to the said pairtie to appeale, but the former sentence to have executioun according to the tenour of the samein. Item, If the appellant justifie not his appellatioun befor the superintendent and his conventioun forsaid, that he fall imput ane paine upon the said appellant, as he fall think good, above the expenfes to the partie ; whilk paine salbe deliverit to the deacons of the kirk where the first sentence was givin, to be distributed to the poore. And in lyke manner, the Generall Assemblie finding it evill appealit be the said partie fra the foirsaid superintendents and commissioun, fall as of befoir impute ane paine arbitrall to be distribute as said is, together with the expenfes to the partie, as is above specifiet.

The Lords, Comptroller, Justice Clerk, and Clerk of Register, beand all present in the Assemblie, pronouncit to give letters gratis to all ministers requyreing the same, and cause them to be execute upon the comptrollers expenfes, to charge all them that has manfles to delyver the same to the ministers, or bigge ane sufficient house to them within sick a day as the parties fall delyre, under the paine of horneing, according to the act of Parliament lately made theranent.

Ordainit that supplicatioune be made to the Queens Majestie and secreit counsell for unioun of kirks, that wher two or thrie are within two or thrie myles distant, the same to unite, and cause the inhabitants to resort to ane of the saids kirks, to heir the word and receive the sacraments ; because the scarcenes of ministers permitts not every kirk to have a severall minister, and also the small number of sick parochines requyres not the samein.

Ordainit that the instructioun of youth be comittit to none within this realme, neither in univerfities nor without the samein, but to them that professe Chrysts true religioun now publickly preached ; and that sick as now occupie the places, not professing as said is, be removed fra the

famein, and to remember that same ordour be made for the sustentation of poore scholers.

[Anent the execution of the Act of Parliament touching the repairing of kirks, it is thought necessar that letters, conforme to the said act, be delivered to the Superintendents gratis; and that everie Superintendent fall consider what kirks within his bounds need reparation or re-edifieing, and thereafter deliver the saids letters to the collectors of the thrids within the same bounds, to be executed be an officer of armes at suche kirks as salbe needfull, and the Superintendent fall think good: And thereafter the said collector fall deliver the saids letters, duellie executed, to the Superintendents foresaids, to the effect that they may, where the difobedience fall happen to be, crave remeed from the Lords of Secreit Counsell.

Commiffion was given to Mr Johne Hepburn, minister of Brechin, to plant ministers, exhorters, readers, elders, deacons, and other members requisite and needfull for a reformed kirk, in Murrey, Bamf, and the countreis adjacent, and to place schoolmasters. The like commiffion was given to Mr Robert Pont, to plant kirks in Inverness, and to Mr Donald Monro, to doe the like within the bounds of Ross, and to assist the bishop of Cathnes in preaching of the gospell, and planting of kirks; and these commiffions war to endure onlie for a yeere.

Supplications ordained to be made to the superior powers, for constituting judges in everie province, to heare the complaints of parties, alledging adulterie to be committed be the husband or the wife, and the said judges to take cognition in the mater, and punishe according to the Act of Parliament. Item, That when anie benefice fall vaike, qualified persons may be presented to the Superintendent of the province, where the benefice vaiketh, that they may be admitted in the places destitute. Item, That where two or three kirks ar distant two or three miles, they may be united, and the inhabitants caused to resort to the said kirks, to heare the word, and receive the sacraments; becaus the rare number of ministers suffereth not everie kirk to have a severall minister, and the smalnes of the parishes require not the same. Item, For remitting the thrids, or a part thereof, to the bishops appointed be the Assemblie to be commissioners, to plant kirks within their owne bounds.

The Comptroller being present, was requested to assume and assigne to himself so much of the thrids of the benefices remitted by the Queene to the possessors, as may sufficientlie sustaine the ministrie; and to cause his

collector to intromitt therewith, and distribute the same to the ministers, alweill for times bypast as to come. The Colledges and Kirks of Universities, whose thrids are remitted, not to be heirin comprehended; which he promised to doe. The comptroller, justice clerk and clerk register being present, promised to give letters gratis to all ministers requiring the same, and cause to be executed upon the comptroller's expenses, to charge all possessors of manes to restore the same to the ministers, or to build a sufficient house to them against a fett day, as the partie fall desire, under the paine of horning. C.]

Sessio 3^a, 27 of June 1563.

It is statute and ordainit that no worke be fett forth in print, neither yet published in wryte, tuiching religioun or doctrine, untill sikk tyme as it salbe presentit to the superintendent of the dyocie, advyseit and approveit be him, and be sikk as he fall call of the most learned within his bounds; and if they or anie of them doubt in any point, so that they cannot resolue cleirly in the same, they fall produce the said worke to the Generall Assemblie of the kirk, wher ordour salbe tane tuiching the resolution of the said doubt.

[Commissioun given to the superintendent of the West, to visite Nithisdail, and plant kirks there for a yeere. To Mr Thomas Drummond, minister at Creich, and Johne Duncanson, minister of Stirlin, conjunctim et divisim, for a yere, to plant kirks in Monteith.

The superintendents of Angus and Fyfe war desired to draw the townes of Dundie and Sainct Johnstone to agreement.

The superintendent of Lowthiane, the ministers, elders and deacons of the kirks of Edinburgh, conjunctim et divisim, Mr James Makgill, clerk of register, Sir Johne Spence of Condie, the Queenes advocate, Thomas Mackcalgeane, David Borthwike, Clement Littill, Richard Strang, or anie two of them, war appointed to take cognition of Mr Magnus Halcro and Margaret Sinclairs appellatioun from the bishop of Orknays sentence in a cause of divorce.

The Assemblie, after mature deliberation, and discussing of the articles, for the which processe war led, and sentence given be umquhill James, bishop of Rosse, commissioner to James, archbishop of Sanct Andrews, at

Halyrudhous, the 26 of August 1534, against James Hammilton of Kincauell, shireff of Linlithgow, pronounced the said articles to be good and godlie, and nawise hereticall; and sentence given be the said James, bishop of Ross, commiffioner, to have been wrangoullie led, and given against the said James, in pæna contumaciæ, and therefore to be casse and null, with all that followed thereupon, and he to be restored in integrum to his honour, fame, and dignitie.

The articles for which he was condemned war these, That umquhill Mr Patrik Hammilton died a good Christian and catholick man, howbeit he was condemned as an impenitent heretick, and burnt be them; and was content to die the same death; that there is no purgatorie; that we ought not to pray for the deid; that man hath not free-will, as the papists meane; that he used the Lords prayer in the vulgar tongue publictly; that he had books condemned and suspected of heresie; that he contemned and caused to contemne the preaching of preaching Friers, and so furth.

Afternoone compeired James Gibb of Carruder, one of these who wer summoned for their interest, to heare the said articles to be approven. He protested whatsoever thing were done in this Assembly in favours of James Hammilton of Kincauell, sherriff of Linlithgow,ould not be prejudiciall to him and his rights whatsoever. C.]

Sessio 4^{ta} 28 of June 1563.

[Commiffion was given to Mr Gudman minister at Sanct Andrews, Williame Christefone minister at Dundie, Mr Williame Cock, Mr Williame Scott, and Mr John Douglas rector of the univerfitie, to take cognition of the complaint given in be the superintendent of Fyfe, against Mr George Leslie, minister of Strameglo, and to decide therein; and to notifie their sentence and decreitt to the superintendent of Angus. The superintendent of Fyfe had complained that he had not execute his summons against some persons in Auchtermowtie, where he was also minister, and that he had not ministred the sacraments since December last bypast. C.]

Ordaines that every superintendent within his awin jurisdiction cause warne the shyres, townes, and paroch kirks, to send ther comiffioners unto the Asssemblies in tyme comeing, declareing unto them the tyme and place;

and als that every superintendent convey the first day appointit for the Assemblie, under the paine of fourtie shillings, to be distribute to the poor without remission therof.

[Mr Knox was requested to put in order the forme and maner of excommunication. He was requested be the superintendent of Angus to visite the North, and preach the word in these countries for a season, because the preaching of the word was precious in these places. C.]

A. D. M.D.LXIII.

THE Generall Affemblic conveinit at Edinburgh, the xxv of December 1563, in the New Tolbuith; the exhortatioun and prayer made be Johne Willock. In the whilk were present James duk of Chatelerault, Archibald erle of Argyle, James erle of Murray, James erle of Mortoun, William erle Marschell, Alexander erle of Glencarne, Williame Metland of Leithingtoun, secreitar, Sir John Wifchart of Pittaro, comptroller, Sir Johne Ballantyne of Achnoull, justice clerk, Lords of the Secret Counsell, [the Superintendents of Angus, Lowthiane, Fyfe and the West, Alexander styled Bishop of Galloway, Adam Bishop of Orkney, Ministers and Commiffioners, Barons, Burgeffes and Gentlemen in a great number. The exhortation was made be Mr Willock, Superintendent of the West. C.]

Sessio 1^{ma}, 25 of December 1563.

It was proponit be the hail Affemblic, that a moderatour sould be appointit for avoyding confusion in reasoning, but that everie brother sould speake in his awin rowme. The Lords of the Secret Counsell, with the hail brethren of the Affemblic, appointit Mr Johne Willock, Superintendent of the West, moderator dureing this Affemblic.

Anent the queffion moveit be Johne Knox, minister of Edinbrugh, to the hail Affemblic, whither he receivit charge of the hail kirk conveinit in Edinburgh after the beginning of the Reformation, to advertife the brethren to conveine at what tyme any member of the kirk sould chance to be troublit, and that for the counsell to be had.

To the whilk the Lord Lindesay, lairds of Kelwood and Abbotifhall, Cunighameheid, the superintendents of Angus, Fyfe, Louthiane, West, and Galloway, Mr John Row, Mr Christiesone, Mr Robert Hamiltoun, Mr Christopher Goodman, ministers, with the most part of the whole

Assemblee, made there declaratioun, that they remembrit verie weill that the said Johne Knox wald have had himselfe exonoured of the foirsaid charge, and that the kirk then present wald na wayes suffer him to refuse the same, but that he sould continue as befoir to advertise fra tyme to tyme as occasion salbe givin.

[When the superintendents war to be tried, Mr Johne Spottifwod superintendent of Lowthiane was removed; when he was called in again, he requested the Assemblee to give him libertie to returne to his former cure, becaus he was not able to discharge so great a burthen as he was burthened with. The superintendent of Fyfe being removed, it was complained that he preached not in his visitations, bot caused the minister of the kirk to occupie the rowme. The commiffioners of Fyfe desired a diett to be appointed, wherin to give in complaints against him, which was granted. The Superintendent of the West being removed, it was complained that he did not his endevoire to procure the extirpation of idolatrie in his bounds. He layed the blame upon the duke and the erle of Cassils. Farther, he desired to be disburthened of the great charge layed upon him, which he had undertaken onlie for a time, and requested the Assemblee to lay no greater burthen upon him then he was able to beare. The superintendent of Angus and Mernes being removed, it was said plainlie, that no discipline was used in manie of the kirks of Angus and Mernes: That there was no convention of elders and deacons at kirks for correction of faults; that he preached not in his visitations: That being burthened with the visitation of the north, he might not attend upon the charge allotted to him. The question, Whether superintendents ought to preache in all the kirks where they did visite, was reserved to be discussed at the end of the Assemblee. C.]

Sessio 2^{da}, 27 Dec. 1563.

[Mr John Hepburne, commiffioner of the north, excused his not visiting, be reason of his great sicknes. Mr Alexander Gordon, commiffioner of Galloway, being removed, the laird of Gairlies younger delated him for retaining in his house two persons, after their publict repentance for their fornication. He denied he retained the woman; and as for the man, after he had removed him for a time, knowing no offense to him, he received

him. Mr Donald Monro, commiffioner of Roffe, being removed, it was complained that he was not fo apt to teache as his charge required. Therefore the Affemblic ordained the fuperintendent of Angus, Mr Robert Hamilton, Mr John Row, Mr Robert Pont, Mr Chriftopher Gudman, Mr Johne Wood, and Mr Clement Littill, to take a tryell of his gift, and to report to the Affemblic. Mr Robert Pont, commiffioner of Murrey, Enuerneffe, and Bamf, declared how he had travelled in thefe parts, but confefled his inabilitie, in refpect of the laicke of the Irifh tongue, and therefore defired the Affemblic to appoint an commiffioner expert in the Irifh tongue. C.]

Seffio 3^a 28 December 1563.

[Mr Thomas Drummond and Johne Duncanfone, commiffioners for vifitation of Menteith, prefented their commiffion, and a roll who war to be continued, according to the tenor of their commiffion.

Complaints war made upon Robert Gibfon, for faying meffe everie Sabbath day in Fishwicke, maintained be the laird of Blacader; Sir Robert Achefoun, preeft, for faying meffe in Cranfton; Johne Pillor, preeft, for faying meffe in the chappell of Foffe befide Dow; Robert Paterfone for faying meffe at Logyraitt, and for meffe daylie faid in Sayfield. The Juftice Clerk defired the relations to be qualified and delivered to him, and he promifed to call them to particular dietts.

It was ordained, That all minifters fould give in their fupplications to the fuperintendent, to the effect the fuperintendent might prefent their fupplications to the Lords of Secreitt Counfell, that order might be taken for payment of their ftipends, speciallic where the thrids war remitted to the poffeffors be the Queins Majestie. Item, That fupplication fould be prefented to the Secreitt Counfell, that everie minifter may have his ftipend affigned in the bounds where he ferveth the cure. Item, That the act of Parliament anent manfes and glebes, be more speciallic condifcended upon. The nobilitie there prefent, and others having intereft, war required to condifcend, that the poore labourers might have the tithes of the ground, which they manured for a reasonable compofition ather in money or victuall, to be paid to the erles, lords, barons, or other takifmen. A full anfwere was differed till a fuller convention: Nottheleffe my Lord Dukes Grace, the erles of Argile, Murrey, Marfhall, Glencairne, and

Rothesse, the lords Areskine, Ruthven, Lindfay, and the Comptroller, there present, consented for their own parts. It was farther ordained, the superintendents sould travell with erles, lords, barons, and other takifmen within their bounds, to the same effect, and to report their answeres to the nixt Affemblie. C.]

The haill Affemblie heir present hes farder concludit, and finallie consentit, that for there awin part the tenents and occupiers of the ground fall have there awin teinds upon composition.

Sess. 4^{ta}, 29 Dec. 1563.

It was thocht neidfull, for farther affirmation of the Booke of Discipline, that the Erle Marfchell, Lord Ruthven, Lord Secretarie, Commendator of Kilwinning, the bishop of Orkney, Clerk Register, Justice Clerk, Mr Henrie Balnaves, David Forrest, and Mr George Buchannan, onie thrie or foure of them, oversie the said booke diligentlie, consider the contents therof, noteing there judgements in wryting; and to report the same to the nixt Affemblie Generall of the kirk; or if ane Parliament happin to be in the meanetyme, that they report the saids judgements to the Lords of the Articles that fall chance to be chofen befor the said Parliament, [and that they beginne immediatelie after the diffolving of this Affemblie; at the least in the sext day of Januarie nixt to come, and thereafter continue till the said booke be throughly revifed.

It was concluded, that offenders, whose offenses war published, sould mak their publiēt repentance, without exception of perfons; and if they refused, that after due admonitions, the censures of the kirk sould strike upon them: And therefore it was ordained that Mr Robert Richardson sould make his publiēt confession for his whoredome, and satisfie the kirk of Edinburgh.

Mr Andrew Johnstone, brother-german to umquhill Mr William Johnstone, humblie required proceffe for reduction of the sentences pronounced by umquhill James archbishop of St Andrews, and his commissioners, against him and his brother, for alledged heresies, as also edicts to that effect, as effeirs. The Affemblie ordained the Superintendent of Lowthiane, with the assistance of the session of Edinburgh, to tak cognition in the premiffes, to give and lead processe therein, as hath been led in the shireff of Linlithgow, Sir John Borthwick and others, for the like edicts,

and other summons necessarie and requisite to grant ; and after summarie proceſſe led therein, to pronounce and give finall ſentence.

Johne Baron miniſter of Gaſtone, complained that his wife Anne Goodacker had deſerted him, and fled to England. The Aſſemblye ordained letters to be directed to the archbiſhops of Yorke and Canterburie, in name of the Aſſemblye, ſubſcribed be the Superintendent of Lowthiane, Mr Knox and Mr Craig miniſters of Edinburgh, and the ſcribe ; requeſting them to be executed againſt the ſaid Anne, that ſhe might compeir before the Superintendent of Lowthiane, and ſeſſion of the kirk of Edinburgh, the ſextie day after the citation, be herſelf, and be no procurator, to anſwere as law will ; with intimation, if ſhe compeir not, the ſaid ſuperintendent and ſeſſion ſhall proceed againſt her at the ſaid Johnes inſtance.

The Paroſhiners of Calder complained, That Mr John Spottifwood, preſented to the parſonage of Calder fifteen yeeres ſince be the laird of Calder, had been promoted three yeeres ſince to be ſuperintendent of Lowthiane, without their knowledge ; and that be reaſon of his publiſt office and exerciſe, he is abſtracted from his cure at the ſaid kirk the moſt part of the yeere ; deſired therefore, as before, to cauſe him renounce his ſuperintendentſhip, and returne to his former vocation ; or ellis to demitt the ſaid parſonage, to the effect ane other qualified man might be preſented, in conſideration that it is impoſſible that one man may brooke and exerce two offices in the kirk of God, bot one of them muſt be neglected ; otherwiſe we ſhall differ little frome the popiſh kirk, where one perſone had pluralitie of benefices, as in the ſaid complaint at lenth was contained. The Aſſemblye judged the former anſwere given 4 Julie 1562 ſufficient. C.]

Seſſ. 5^{ta}. 30 Dec. 1563.

[Mr George Hay, miniſter to the privie counſell, had ſummoned certaine miniſters, exhorters and readers of the north, to compeir in this Aſſemblye, to anſwere for their doctrine and maners. David Rae, miniſter of Forreſt, compeired, and was admoniſhed be the brethren to obſerve a decent order and forme of doctrine, with ſuch gravitie as becometh the teachers of Gods word, and to follow the text, without inveying otherwiſe then the text ſhall require. Other miniſters, exhorters and readers, not compeiring, war ſuſpended from their offices till farther triell, to be taken be ſome ſuperintendent or commiſſioner to be ſent to theſe parts.

The commiffioners and brethren of Fyfe prefented a row, wherein war diverfe complaints given againft the fuperintendent of Fyfe: His anfwere was, That fome of thefe things layed to his charge lay not in his power to amend. The complainers war commended for there zeale in delating things worthie of redrefle, and admonifhed the fuperintendent to be diligent in preaching and execution of his office. C.]

Forfameikle as minifters, exhorters and reidars, remains not at the kirks wher ther charge lyes, but dwells in townes farre diftant fra the laids kirks, wherethrow the peiple wants the continuall confort whilk ther daylie prefence fould give be mutuall conference of the minifter with the flocke; heirfor the kirk ordaines the minifters, exhorters and reidars, having manffes to dwell in, that they make refidence at the fame, and vifite the feik as they may, and where the parochin is great, that the minifter crave the fupport at the elders and deacons, to help him in the faid vifitatioune.

Touching the buriall of the poore in every parochin to landwart, it is ordainit that a beere be made in every paroch to carrie the dead corpes to buriall, and that village or houfe wher the dead lyes, with the nixt houfe adjacent therto, or a certaine number of every houfe, fall convey the dead to the buriall, and eird it faxe foote under the eird; and that every fuperintendent within his awin bounds requyre the lairds and barrones within the fame to make ane aēt in ther court tuiching this ordour, and caufe ther officers warne ther narrefst neighbours wher the dead lyes, to convey the famin to buriall as faid is, according to ther faid aēt; and farder, that the fuperintendents take ordour heir as occafion fall ferve.

Becaus divers times Superintendents ordaine certaine notorious offenders to make publiēt repentance in the kirk where the offense was committed, and yitt give not fignification of the fame to the minifters and elders of the congregation, wherethrough offenders may eafielie efcape the making of their repentance in due time: Therefore it was ordained, That when anie fuperintendent enjoyneth anie perfon to mak publiēt repentance for anie offense deferving the fame, that he fall fignifie to the parifh where the offense hath been committed, what he ordaineth to be done be the offender, to the end the minifters, elders and deacons of that congregation may notifie again to the fuperintendent whether the faid offender obeyed the fuperintendents ordinance or not, that order may be taken with him in cafe of difobedience.

Seff. 6th the last of Dec. 1563.

[Foure women war delated for witchcraft be the superintendents of Fyfe and Galloway. The Lords of Privie Counfell war requested to take order therein. The complainers war ordained to give in their informations. It was ordained, That everie superintendent within his bounds fould cause a collection to be made for sex brethren taken at Rowan, and detained in the galeys for want of ranfoum. The erle of Glencarne was requested to concurre with the Superintendent of the West to vifite the hospitall of Glasgou, and confider how the revenues pertaining to the fame ar bestow-ed or possessed, that order may be taken for support of the poore; and that they report the fame to the Lords of Privie Counfell and to the Affemblic.

Commissions war renewed for a yeere to Mr Robert Pont, to plant kirks from Nessle to Spey; to Mr John Hepburn, minister at Brechin, to plant kirks in Bamf, from Spey to Aithan, comprehending Strabogie land; to Mr Patrick Coufton, minister at Seres, to plant kirks from Dee to Aithan. Mr Robert Pont accepted of the commission, bot with provision that he fould not be burthened with the kirks speeking the Irish tongue in the saids bounds.

Robert Ramsay was accused for entering in the ministrie within the Superintendent of Angus his bounds, without election or his admiffion, and that he had affirmed there was a mid-way betwixt papistrie and our religion; that he had borrowed some money from the town of Ennerneffe upon caution, alledging that he wald buy bookes with the same, bot did not returne nor pay the fumme: He was suspended from his ministrie till farther triell war taken. Commission was given to the Superintendent of Fyfe to try him, and he ordained to compeir the 19 of Januarie at Sanct Andrews. C.]

Anent the determination of the kirk, tuiching Thomas Duncanfone, schoolemaster and reidar in Striveling, who had committed fornication, and thereafter had made publick repentance, whither he fould be restored to his office in the kirk or not after his publick repentance, it was ordainit, That he fould abstaine fra the said office, untill sick tyme as the kirk of Striveling made requiest to the Superintendent for him, and that he fould present the said sute or requiest in the nixt Generall Affemblic. Attour,

if the woman was a maiden with whom he had comitted the said fornication, that he fall marie her if sho requyre the samein, in part of satisfactioun to the kirk.

Tuiching the question proponit be the Superintendent of Fyfe, anent Alexander Jarden, minister of Kilspindie, Inchefture, and Rait, wha had committed fornication with a virgine, and thereafter had married her, and satisfiet the kirk, whither he fould be admittit againe to the ministrie or not; the kirk suspends the said Alexander fra all functioun of the ministrie within the kirk whill the next Affemblie, and then to receive ansuer.

A. D. M.D.LXIV.

THE General Affemblie haldin at Edinburgh the 25 of Junij 1564, haldin and begun in the Neither Tolbuith at 4 houres afternoone; exhortatioun and prayer made be Mr Johne Knox, minister at Edinburgh. In the whilk were conveyit the Superintendents, Ministers, and Commiffioners of provinces and of kirks.

Seff. 2^a 26 Junij 1564.

The haill Affemblie continewit Mr Willock, moderator of this Affemblie.

[The Erle of Glencarne and the Superintendent of the West war inquired, what they had done in the visiting of the hospitall of Glasgow. The Superintendent of the West answered, He did nothing, for laike of conference with the Erle of Glencarne, but promised to visite betwixt and the nixt Affemblie, providing the Lords of the Privie Counsell give letters according to the ordinance of the Affemblie. C.]

The Affemblie requeiftit Mr Robert Montgomerie, minister at Couper, to support every other Sunday the kirk of Largo whill farther provisioun be made; and ordainit the superintendent of Fyfe to labour with the towne of Couper for licence to the said Mr Robert for the purpose forsaide, and to take ordour with the schoolemaster of Couper to reid and exhort in the kirk of Couper.

[The Laird of Lundie and the Superintendent of Lowthiane war appointed to request the Lords of Secreit Counsell to assist the Affemblie with their presence and counsell. C.]

Sess. 3^a 27 Junij 1564.

[At the request of the Erle of Menteith, craving some minister understanding the Irish tongue for Menteith, Johne Ure, minister of Leuchars, was transplanted, and appointed minister there. C.]

Sess. 4^a 28 Junij 1564.

The hail Assemblie made, constitute, and ordainit thir commissioners underwriten : For Fyffe, the Laird of Lundie and Thomas Scott of Abottif-hall ; for Louthiane, the Lairds of Spot and Elphinstoun ; for the West Land, the Lairds of Carnall, Carfe, and Kelwood ; for the Southland, the Lairds of Wedderburne and Andro Ker of Faudonfyde ; for Galloway, the Laird of Gairles younger and Mo . . . , with Mr George Gordoun ; for Angus, the Provest of Dundie ; and for the Northland, the Laird of Craig ; that they fall altogether repaire towards the Lords of Secreit Counfell, and ther present the articles underwriten, perteinand to reformatioun of maners, punishment of certaine crymes, maintaining of justice, and others concerning the universall kirk of this realme ; and to reason thereupon with the saids Lords, and report the answers theruntil to this present Assemblie.

TENOUR OF THE ARTICLES.

First, that it is thocht good, and als weill conforme to the Acts of Parliament, immediatelie befor the Queens Majesties arrivall, permittit as her Hienes awin ordinance, with consent of the nobilitie decreit and appointit after her Graces arrivall, Chrysts religioun be *de novo* established, ratified and approved throughout the whole realme ; and that all idolatrie, especiall the messe, be abolished over all wher, so that no uther face of religioun be permittit or thould to be erected.

And for this effect, that the ministers be provydit decentlie with ane assurit appointment, where they fall receive ther livings asweill by gane as to'come, and not to live as beggars as presentlie they doe.

And in lyke manner, to defyre, and with all humilitie to requyre, that the transgressours agains the ordinances, asweill from tymes past as from

this tyme fourth, be punished according to the saids lawes and ordinances, and especially agains them contemnes and comitts inobedience agains the said lawes in Aberdeen and the Carse of Gowrie, in Seafield, and in fundrie uther places, as falbe specifiet.

After the foirfaids articles were notified and declared to my Lords the Erles of Murray, Argyle, Glencarne, and to my Lord Secretar, being present and send be the Queens Hienes to the Assembly, to know what things was proponit therin, thocht the saids articles as they were conceivit not so convenient to be proponed as appertained; and therfor thocht it meit to collect twa heids therof, whilk they themselves wald propone to the Queens Majestie, whilk heads followes.

And first, they wold declare to her the good mynds and obedience of them there assemblit.

And as tuiching the estate of religioun, feing it tuichit the saids Lords most speciallie being members of the said kirk, they wald labour at her Graces hands that the same might be observit according to the ordour establisht at her Hienes arrivell, and doubtit not to obtaine sick gentle anfuere and aggriment of her Majestie in that behalfe as might satisfie the said Assembly.

The other heid tuiching the sustentation of the ministers, the saids Lords in lyke maner promised to labour at her Hienes hands that they might have appointment of the saids stipends, and hoped to adresse her Hienes so that they could be reasonable satisfiet of ther desyre in that point.

Thereafter the saids Lords declarit how they had proponit the saids heids to the Queens Majestie, and how they were not only accepted be her Hienes in good part, but als gentlie anfuereit and accordit to the performance therof; and therfor the saids Lords promised in her Majesties name to the haill Assembly the accomplishment of the saids desyres, of the whilk they were not in any wayes to doubt; for if they had been surely persuadit in their awin hearts that her Hienes had meant uther wayes nor they had declared, her Grace could have found uther messengers than they to have shawin the same in her Hienes name. Whilk being be them declared, the haill number present first thanked God, and her Majestie, that ther reasonable desyres were so generallie answerit; and for recognosceing of ther awin duetie, desyreit the saids Lords reciprocally to promise to her Majestie in ther behalfe all dutifull obedience, love and submission, whilk

can be lookit for be any Christian Prince, of most faithful, humble and loving subjects; promising therewithall if any of ther number sould happin to forget the duetic of a good subject offending her Majesties lawes, that they all afaldie wald concurre to the punition of the offendour according to the qualitie of the trespass, as they sould be comandit.

Anent the satisfieing of pure labourers of the ground against the unmerciful exactioun of ther teinds, John Maxwell Terregleis Knycht friely promiseit that what tyme the superintendent of the west sould resort toward the parts wher he has any teinds, and sould choose unto himself sax, sevin or aucht of the most wise and discreit persons within the saids bounds wher he hes the saids teyndis, and whatsoever the said superintendent and honest persons sould advyse him to doe, alswell tuiching the intromission as prices of teyndis, he promises to fulfil the same, so that the poore labourers sould feile at his hands ease and support within his rounes.

In like manner my Lord of Murray was content, and for his teyndis within Fyfe nameit the Laird of Lundie, that fall modifie either money or victualls.

Also Alexander Bisshop of Galloway promised to doe how soone the take of his teyndis comes in his awin hand and bees run out.

The Erle of Monteith, my Lords Lindefay and Ochiltrie, my Lord Secretarie, the Superintendent of Fyfe, the gentillmen in the west, and among them, the Laird of Kars, and the goodman of Loathein, all of ther awin frie will promised to doe according as the said Maister of Maxwell had promised.

Tuiching the act of Parliament anent the gleib and mannes, the hail Affemblic request Mr James M'Gill Clerk Register to extract the samein and subscryve it, to the effect it may be producit before the Lords of the Secret Counsell the morne, or how soone guidlie he may doe the samein, that ourdour may be tane theranent for the ludging of the Ministers.

[The Superintendent of Angus, the Abbot of Culros, Mr Johne Spence of Condie Advocat, Mr George Buchanan, and Mr Robert Pont, war appointed to goe apart, and consider whether it were more expedient that Mr Andrew Simson sould remain Minister at Dunning and Cargill, or be removed to Dunbar, according to his own promise made to Dunbar. It was decerned be them that he sould be removed. C.]

Sess. 5th. penult. Junij 1564.

Anent the causes of the whole Kirk and jurisdiction thereof, the Assemblie appointed thir persons underwritten; to wit, The Laird of Dun Superintendent of Angus and Mernes, Mr John Wyrhame Superintendent of Fyfe, Mr John Spotiswoode Superintendent of Lowthiane, and Mr John Willock Superintendent of the West, with the assistance of Mr John Row, George Hey, Robert Pont, Christopher Guidman, Thomas Drummond, Johne Knox, Johne Craig, Johne Rutherford, George Buchanan, Robert Hamiltoun, Clement Little, the Lairds of Lundie, Elphinstoun, Carnell, Kers, and Thomas Scott of Abottishall, and ordained thir foirnamed persons to conveye the morne after the fermoun, and to reason and confer anent the saids causes and jurisdiction pertaining to the Kirk, and to report ther opinions againe to the nixt conventioun.

Anent the question moved, whither a minister anes lawfullie placed at a kirk, may leave his ministrie at the said kirk and passe to another at his awin pleasure; it was concludit be the haill Assemblie, that he may na wayes leave the congregation being anes placed, without knowledge of the floke, his superintendent or haill kirk, and that the cause why he wald leave that kirk be considerit be the Superintendent or haill kirk, whither it be lawfull or not.

The haill Assemblie in ane voyce choose James M^cKaitney to be Soliciter for the [actions of the Kirk to be pleaded before the Lords of Secret Counsell or Session; to proceed with advice and counsell of Mr Thomas Makcalgeane, David Borthwick, and Richard Strong, Advocates. C.]

Beaus Mr Alexander Jarden minister of Inchstuire, Kilspindie and Rait, was in the last Assemblie suspendit from all functioun of office within the Kirk, for causes conteinit in the Second Session of the last Assemblie, to this conventioun, when he fould receive ansuer, whither he fould returne to his office or not; the haill Kirk, in consideratioun of his marriage and publick satisfactioun wher the offence was committed, ordainit to make humble request to my Lord of Murray to be content that the said Mr Alexander fould be received againe to his ministrie in respect of the premisses, and thereafter that the Superintendent of Fyffe fould restore him againe to his ministrie as of befor.

Anent the requeift of Mr Patrick Conftance minifter of Cyres, defyreing the licence to paffe to France and uther cuntryes, for augmenting of his knowledge, for a tyme, the hail Affemblic in ane voyce diffentit therfra, and ordainit that he fould not paffe out of this country, nor yet leave his congregation wher he travells, without fpecial licence of the hail Kirk, if they fall heirafter think it expedient or neceffarie.

[It was appointed that a Request fould be prefented to the Queen, for obtaining the gift of the Friers Kirk of Kirkubright, to be holden heirafter the Parifh Kirk of Kirkubright. C.]

Seff. 6^a ult. Junij 1564.

[Mr Donald Monro his Commiffion to plant kirks within Roffe was continued for a yeere. Commiffion was given to Mr Knox to vifit the North, and to remaine there fix or feven weeks, becaus the North Parts war deftitute of Superintendents or Commiffioners, for vifiting of their kirks, and overfeeing of minifters, exhorters and readers already placed.

Mr George Hay Minifter to the Secreit Counfell was appointed to vifite the kirks of Renfrew, and to remaine there twentie dayes. Mr Craig was ordained to vifite the South parts for a moneth; and Mr Gudman Minifter at Sanct Andrews to teache in his abfence at Edinburgh. C.]

Forfameikle as it was complainit be the Commiffioner of Murray upon William Sutherland, perfon and exhorter at the kirk of Moy, that he had not only difobeyit his charge commanding him to marie the woman with whom he befor had committit fornication, but alfo had, in despyte of the faid commiffioner, ryven his letters of charge therto, and had not obeyit his fumounds chargeing him to compeir to this Generall Affemblic: In confideratioun of this difpytefull ryveing of the Commiffioners letters, and alfo not compeiring to this Affemblic, the Kirk depyves him fra all ecclefiastical functioun, and alfo ordaines the censure of the kirk to proceid agains him for his contempt.

[It was ordained that the Superintendent of Lowthiane fould proceid to censures againft Mr Patrick Cockburne, minifter at Haddingtoun, in cafe he reforted not to the General and Synodall Affemblies. C.]

A. D. M.D.LXIV.

THE Generall Assemblie of the Kirk gatherit and conveyit at Edinburgh the 25 of December 1564, haldin in the Over Tolbuith therof: In the whilk wer the Superintendents and Ministers present, with the Comissioners of Shyres and particular Kirks; the exhortation being made be Johne Knox, minister of Edinburgh.

For eschewing of confusioun, and that every brother shuld speake in his awin rowme with modestie, it was thocht good that ane moderator shuld be appointed, and swa with full consent of all the brethren present, was John Erskine of Dun, Superintendent of Angus and Mernes, appointed to be moderator for this Assemblie, who acceptit the office upon him.

Ordainit that no question be proponit be any brother unto the tyme the affaires of the kirk and ordour therof be first treatit and endit; and thereafter if any brother have a question worthie to be proponit, that the samein be put in wryte and presentit; and if the samein requyres hastie resolution, it falbe decydit in this present Assemblie, before the end therof, utherwayes the decision of the samein falbe referrit to every ane of the Superintendents within whose bounds the question is proponed, and they and every ane of them, with ane certain number of the ministers as they shall think meit to appoint for assisting to heir the reasoning of the saids questions, and thereafter ther reasons to be put in wryte, affirmative or negative, whilk every ane of them shall report to the nixt Assemblie.

[William Wallace of Carnall, and Andrew Ker of Fadownside, war sent to the Lords of Secret Counsell, to requeist their honours to assist the Assemblie with their prefence and counsell.

When the Superintendents of Lowthiane and Angus, the Comissioners of Galloway and Orknay, war removed to be tried, it was proponed be some of the brethren, that the Comissioners of Galloway and Orknay shuld be demanded, whether in their consciences they judged that they might both dewlie use the office of a Superintendent and the office of a Lord of the

Session and Colledge of Justice. The Superintendent of Fyfe was challenged for slackness in visitation of his kirks. He alledged age, evill payment of his stipend, and a great number of kirks within his bounds, as excuses : howbeit otherwise he was diligent. C.]

The same day the haill Assemblie caufit to present to the Lords of Secreit Counsell the heids and articles following, and requyrit ther honours to obtaine ansuer therof at the Queens Grace, and to signifie unto them her Majesties pleasure therintill.

TENOUR OF THE ARTICLES.

I. The haill Assemblie requyres humblie there honours to signifie to the Queens Majestie, that the transgressours of the proclamations past against the heirars and sayers of messe, together with the abusers of the Sacraments, are now so common, that it may be greatlie feared that judgements fall suddently follow, except remeid be provydit in tyme.

II. To requyre payment to ministers of there stipends for the tyme by past, according to the promise made, and to let the Assemblie know how the ministers falbe sustained in tyme to come.

III. To requyre Superintendents to be placed wher none are within this realme, viz. in the Mers, Tevedail, Forrest, Tweddall, and the rest of the deales in the South not provydit; with Aberdeine, and the uther parts in the North, lykewayes destitute.

IV. To requyre punishment of sikk as hes steiked the doores of the paroch kirks, and will not oppin the samein to preachers that presentit themselves to have preachit the word, sikk as Paisly, Aberdein, and Curry, Duplin, and Aberdagie.

V. Humblie to requyre of the Queens Majestie, what the kirk fall looke for, tuiching provision of benefices vaikand and to vaik.

VI. To crave ane refolutioun and declaratioun of the manffes and gleibs, whither they be sett in few or not, and be what means the ministers fall come to the use and possessioun therof.

VII. The actis tuiching the reparatioun of the kirks to be put to executioun.

The ansuer of every ane of the particulars the Generall Assemblie humblie requyres.

Seff. 2^{da}, haldin the 26 of December 1564.

[It was ordained, That the same perfonnes who war nominat for election to the superintendentship of Aberdeen, December 1562, sould now againe be putt in leitts : That Edicts be served, and the person chofen be inaugurat in the New Kirk of Aberdeen the second Sunday of Marche nixt to come ; and that the Superintendents of Angus and Fyfe, with such ministers as they sould choofe, be present at the said Inauguration.

Beccaus it was murmured, that manie ignorant men, and of bad conversation, war admitted to be Ministers, Exhorters and Readers ; it was ordained, that the Superintendent of Angus sould visite the kirks in Nithsdail, Galloway, Carriët, Kyle, Cunninghame and Cliddisdail ; the Superintendent of Lowthiane, the kirks of Angus and Merns ; the Superintendent of the West, the kirks of Lowthiane, Merce and Teviotdail ; Mr Knox, the kirks of Fyfe, Stratherne, Gowrie and Menteith ; and try Ministers, Exhorters and Readers, everie one within the forsaid bounds, respectivè, to suspend for a tyme, or depose for anie cryme, or ignorance and inability, as they fall find them guiltie or unable ; and for that purpose that commiffions be given to everie one of the said visitors, and that they report their diligence to the nixt Affemblie in writ.

It was ordained, that everie Minister, Exhorter and Reader, fall have one of the Pfsalme Bookes latelie printed in Edinburgh, and use the order contained therein in Prayers, Marriage, and ministratyon of the Sacraments. C.]

Anent ane supplicatioun presentit be Beatrix Livingstoun, tuiching ane promise made to her be Patrick Hardie, to have solemnizat the band of matrimonie with her a long time since, his wyfe Kathrine Rutherford being on lyfe, and no divorcement past betuixt them ; bearing also and make-and mention of ane decreit and decisioun of the saids premisses, and nullitie therof, given and pronouncit be John Erskine of Dun, Alexander Guthrie of Halkertoune, Robert Campbell of Kingeancleugh, and Mr Robert Hamilton ; for verification wherof the said Beatrix produceit the said decreit subscribed by the forsaids perfonnes in prefence of John Willock Superintendent of the West, Christopher Guidman, and Mr George Hay, of the dait at Edinburgh the 1 day of July 1563, bearing in effect, that the said promise made be the said Patrick to the said Beatrix on na way might be

fuſtainit be the law of the Evangell, and therefor the ſaid Patrick to be quyte therfra in all tyme comeing, in reſpect of the mariage ſtanding betuixt him and his wyfe forſaid indifſolvit ; and that the ſaid promiſe was not only null in the ſelfe, but alſo unjuſt and unlawfull, and that the makers thereof had offendit and was worthie of puniſhment at the diſcretion of the Kirk. Whilk ſupplicatioun being red and conſiderit, the hail Affembly in ane voyce authorized and allowed the ſaid decreit pronouncit be the ſaid brethren, and alſo pronouncit the ſaid Patrick and Beatrix to be free fra the ſaid pretendit promiſe in time comeing, requyreing [referring ?] that puniſhment for making of the ſaid promiſe heirafter to the kirk and diſcretioun thereof.

Seſſ. 3^a, 27 December 1564.

Anent the ſupplicatioun preſentit to the Affembly in name of Paul Methven, and tuiching diverſe petitions therein conteinit, wherewith the Affembly being rypelie advyſeit, and after long reaſoning had therein, with mature deliberation gave ther anſuers as follows.

Anent his receiving to repentance &c. the hail Affembly with ane voyce are content to receive the ſaid Paul to repentance, alwayes preſentand himſelfe perſonalie befor them, declaring evident ſignes of unfained repentance, willing to obey ſick injunctiouns as the kirk ſhall pleaſe to appoint him to doe and fulfill.

Tuiching his deſire to delete his proces out of there bookes, thereto the Kirk can na wayes condeſcend, neither think they that ſick a petitioun can proceed of the Holie Ghoſt, ſeing David a notable ſervant of God eſchewed not to write his awin offence to Gods glorie and his awin confuſioun.

Anent his admiſſioun to the miniſtrie within the realme, that was thocht no wayes ſufferable unto ſick tyme as the memorie of his former impietie be more deiply buried, and ſome notable kirks within this realme make earneſt requeiſt for his new acceptatioun. In lyke maner the Kirke ſignifies unto him, that his entrie in the miniſtrie in the parts of England, he being excommunicat and unreconciled, hes greivouſlie offendit them ; as alſo the laſt part of his wryting, wher he accuses falſe witneſſes, wha hes deponit no other thing in effect nor he hes confeſſed with his mouth in write. Farther the Affembly requyrit the brethren to whom the ſaid Paul

writes, that amongs uthers ther anfuers they signifie unto him, that he may safelie repaire toward this realme, notwithstanding th'act latelie proclaimed agains adulterers.

[Mr Andrew Johnstone complaining, that the judges deputed to tak cognition of the articles for which his brother Mr William was condemned be the Popish bishops, wold not proceed to declaration, whether the said articles war repugnant to the holie Scripture: The Assemblie decerned the articles not to be hereticall, so that a godlie interpretation be admitted in everie one of them; therefore ordained the judges to proceed to the finall decision of the said action.

Full commission was given to the superintendent of Fyfe, the bishop of Galloway, Mr John Row, Mr Christopher Gudman, to tak cognition of the mutuall complaints of the provest and bailiffes of Coupar, upon Mr Robert Montgonrie their minister, and of his upon them, and to decide therein; and that their decreit be in readines to be shewed to the visitor-depute for Fyfe, when he shall come in those parts. C.]

Tuiching sick as are relapse the thrid tyme in any kind of crymes, sick as fornication or drunkennes, it is statute and ordainit that no particular minister admitt sick perfones to public repentance, but to send them to the superintendent of the dyocie wher the crymes are committed, with information therof, wha fall give them sick injunctiouns as they think may make the offences to be haldin in horror; but chieffie that they compell the offender to satisfie the kirks wher the offences was made moe dayes nor ane, as the said superintendent fall thinke good.

A. D. M.D.LXV.

THE Generall Assemblie conveyit at Edinburgh, in the Nether Tolbuith therof, the 25 day of Junij 1565. In the whilk were present the Superintendents, Ministers, and Commissioners of Shyres and Kirks. The invocatioun of the name of God being made by Johne Willock, Superintendent of the West.

First, For eschewing of confusione in reasoning, the whole brethren present with ane consent chuse John Willock, Superintendent of the West, to be moderator, who accepted the office.

[It was ordained, if anie superintendent had anie thing to lay to the charge of anie minister, exhorter or reader within his bounds, that he present the same in writt this day and the morne; and sikklyke, if anie person had anie thing to lay to the charge of anie superintendent.

The Superintendent of Lowthiane and Mr Knox gave account of their visitations, according to the commissioun given to them in the Assemblie immediatlie preceeding. The Superintendents of Angus and of the West alleged lawfull impediments which occurred since the last Assemblie; they wer ordained to putt in execution their commissiouns against October.

Mr Johne Frude, minister of Dummennie, and Patrik Craigh, minister of Ratho, being complained upon for not repairing to Linlithgow, to the exercise of prophecyng, excused themselves with want of charges, be reason their stipends were not duellie payed unto them. Mr Patrik Cockburn being complained upon for obstinat refusing to come to the Synodall and Generall Assemblies, it was ordained that he sould be summoned to compeir upon Wedinsday. The Superintendent of Fyfe complained, that the kirk of Kilmanie, pertaining as a common kirk of

Sanct Salvators Colledge in Sanct Andrews, wanted a preacher; Mr John Rutherfurde, proveft, and William Ramfay, one of the mafters of the faid colledge, war content to ftand to the decifion of the Superintendent of Angus, the Superintendent of Fyfe, Chriftopher Gudman and Mr George Buchanan.

The parochiners of Tinninghame complained, that they payed their tithes to the new colledge in Sanct Andrews, and wanted not the leffe the miniftrie of the word and miniftration of the facraments: The rector of the univerfitie, and Mr John Douglaffe, mafter of the faid colledge, promifed to fatiffie the complainers. The Superintendent of Fyfe complained upon William Heriot, reader in Monyvaird, for removing to Strathardail without licence obtained be him or the parochiners: The Affemblye ordained the Act made Junij 1564 to be putt in execution. The parochiners of Kilconquhar complained upon Mr Alexander Spence, minifter, for not miniftring the communion thefe fix years bypaft: The Superintendent of Fyfe and Chriftopher Gudman were appointed to have a care that the communion fould be miniftered in the faid kirk before Candlemas nixt to come. C.]

Seffio 2^{da}, haldin the 26 of Junij 1565.

The hail kirk present for the tyme humblie requyreit the nobilitie present to be humble futers at her Hienes for the executioun of the law and actis latelie made agains violaters of the Sabbath day, committers of adulterie and fornicatioun, and defyred every superintendent to fute for comiffions to judges within their jurifdictiouns, giveand power to them to execute punifhment agains the comitters of the faids crymes, according to the tenour of the faids lawes and actis. And in lyke manner to requeift her Hienes to caufe thankfull payment be made of the minifters ftipends throughout all this realme. As also to complaine to her Grace, that wher of befor the kirk of [Commonnell, C.] in Carrick was affignit for payment of the minifters ftipends in Kyle and Carrick, is now givin be her Hienes to the gong Laird of Skeldoun; and in lykemaner the parochiners of Dalry fhew that the lands of the kirk was affignit to the minifters of the parochin, and now was givin to the Lord Provand, and to underftand her Grace will heiranent.

Ordaines for ordouring the articles to be sent to the Queens Majestie, Johne Erskine of Dun Superintendent of Angus and Mernes, Johne Willock Superintendent of the West, Christopher Gudman minister of St Androes, and Mr Johne Row minister of St Johnstoun, to conveye after xi houres, and fett them forth and present them to the Assemblie this day afternoone ; whilk ordinance the faids perones obeyit, and presentit the articles to the Assemblie.

TENOR OF THE ARTICLES.

Imprimis, That the papificall and blasphemous messe, with all papistrie, and idolatrie, and popes jurisdictiones, be universallie suppressed and abolished through the hail realme, not only in the subiects, but also in the Queens Majesties awin person, with punishment agains all persons that salbe deprehendit to offend and transgress the same ; and that the sincere word of God and his true religion now presentlie receivit might be established, approved, and ratified throughout the whole realme, alsweill in the Queens Majesties awin person as in the subiects, without any impediment, and that the peple be astricted to resort upon the Sondayes at least unto the prayers and preaching of Gods word, lykeas they were astricted befor to resort to the idolatrous messe ; and thir heids to be provydit be act of Parliament with consent of the estates, and ratification of the Queens Majestie.

Secondlie, that sure provisioun be made for sustentation of the ministers, as weill for the tyme present as for the tyme to come ; and that such perones as are presentlie admitted to the ministrie may have there livings assignit to them in the rowmes wher they travell, or at the least nixt adjacent therto, and that they have no occasioun to crave the same at the hands of any uthers ; and that the benefices now vaikand or hes vaikit since the moneth of Marche 1558, or that heirafter fall happin to vaike, be disponed to qualified and learned perones, able to preach Gods word, and discharge the vocation concerning the ministrie, be the tryall and admision of the superintendents ; and that no bishoprick, abbacie, pryorie, deanrie, provestrie, or any uther benefices havand many kirks annexit therto, be disponit altogether in any time comeing to any one man, bot at the least

the kirks therof be severallie disponit and to severall persons, swa that every man having charge may serve at his awin kirk according to his vocation; and to this effect that the gleibs and manfles be givin to the ministers, that they may make residence at ther kirks, wherthrow they may discharge ther conscience conforme to ther vocation; and also that the kirks may be repaired accordinglie, and that ane law may be made and established heirin be Act of Parliament as said is.

Thridlie, That none be permittit to have charge of schooles, colledges or universities, or get privatlie or publicklye to instruct the youth, but such as salbe tryed be the superintendents or visitors of the church, found sound and abill in doctrine, and admittit be them to ther charges.

Fourthlie, For sustentation of the poore, that all lands foundit to hospitalitie of old be restored againe to the same use, and that all lands, anuelrents or any uther emoluments, pertaining anywayes sometyme to the freirs of whatsumevir ordour, or anuelrents, altarages, obits pertaining to preists, be applyit to the sustentation of the poore, and uphold of the schooles in the townes and uthers places wher they lie.

Fyftlie, That sick horrible crymes as now abounds in the realme, without any correction, to the great contempt of God and his holie word, sick as idolatrie, blaspheming of Gods name, manifest breaking of the Sabboth day, witchcraft, forcerie and inchantment, adulterie, incest, manifest whooredome, mantenance of bordellis, murther, slaughter, reife and spuilgie, with many uther detestabill crymes, may be severelie punished; and judges appointit in every province or dyocie for the execution therof, with power to doe the same, and that be Act of Parliament.

Lastly, That some ordour be devyfit and established for the ease of the poore labourers of the ground, concerning the unreasonable payment of ther teynd, tane over ther heids without ther advyse and consent.

[Walter Lundie of that Ilk, William Cunninghame of Cunninghameheid, William Durham of Grange, George Hume of Spott, James Baron burgels of Edinburgh, war appointed to present these articles to her Hieneffe, and to report ane answere before the dissolving of the Assemblie, if they may convenientlie; if not, to the session of Edinburgh, that they may signifie the samen to the superintendents.

Adam, Bishop of Orknay, Messrs Johne Craig, Christopher Gudman, Johne Row, George Buchanan, and Robert Pont, were ordained to convene and sit from sex till eight in the morning, to decide questions pro-

poned or to be proponed, and to report their decision to the Assemblée, that the samen may be insert in the register.

The Commissioners appointed to trie the qualification of Johne Lynd minister at Irving, reported that he was insufficient for the charge in that place.

Beaus fundrie ministers complaining of none payment of their stipend desired libertie to remove, and passe to suche places destitute of the word, where they might be reasonable sustained be the godlie ; it was statute and ordained, That no minister, exhorter or reader placed presentlie at anie kirk, fall attempt to remove himself till answere be received againe from the Queens Majestie to the articles directed to her ; and that thereafter none remove himself without the advice of the superintendent of his diocie, and his licence in writt, under paine of deprivation from his office. C.]

The same day the Lairds of Carnell, Sornbeg and Dregborne, requesting humbly for support of a ministrie for the kirks of Rickartoun and Dundonnald in Kyle, promisit of their awin friewill that they sould provide stipends sufficient according as the Kirk wald appoint, and that they sould not remove from ther kirks for seiking payment of the same ; whilk request of thers the hail Kirk praifit, and promisit satisfioun of their godlie desyre.

Sessio 3^a, 27 Junij 1565.

Anent the question proponit, whither children may contract marriage and marie without consent of ther parents ; and in special whither the promise made betuixt Robert Paterfone and Jenat Little, without the consent of her parents, may stand ; it is found that the said Robert and Jenat hes not orderlie procedit in the said promise, in sa farre as they neither obtainit the consent of the parents, nor get the lawfull ordour, repairit to the Kirk of God to lament that cause, and seik the ordinarie meane thairat be the Word of God appointit ; and therefore the comissioners appointit by the Kirk for the decisioun of questiouns, discernis they have not lawfullie procedit in making the said promise of mariage ; and they sould of duetie thus have procedit, first, to requyre the consent of the parents, whilk being refusit, then to make ther sute unto the kirk, to concurre with them in ther lawfull proceedings according to the ordour observit in Gods word ; and for the offence and unlawfull proceeding by past to make satisfioun

to the Kirk, as they falbe appointit thereto. And heirupon ane generall ordour to be sett fourth, as the General Assemblie fall think good, to be observed in all particular kirks in all tyme comeing. This was subscribed be the Commissioners underwriten : Messrs. John Dowglas rector of the Univerfitie of St. Androes, Christopher Gudman, George Buchanan, John Craig minister, John Row, Robert Pont.

Ane uther questioun, whither if a learned man having a benefice givin in Papistrie, or lately sen the word hes bein preached in this realme, may leave the parochin wher he is person, destitute of preaching of the word, and enter minister to serve in another place for larger stipend. The foirsaid commissioners concludit, as followes : It is thought aggriable to the word of God, that no faithfull preacher of Gods Word may enjoy ane benefice or living pertaining to the Kirk, except he remaine at the said Kirk to discharge his office for the whilk he receivit the said benefice : And that if he be transported be the kirk or superintendent to any uther place, whereby he may not discharge his duetie in baith, that he be depryvit of the ane, and it be to be bestowit upon another ; provyding allwayes the foirsaid person be sufficiently answerit of his stipend.

Ane other questioun, whither if a man abusing his coufignes, his fathers brothers daughter, sevin zeirs, and begottin children, and presentlie wald marie her, and underly correctioun, may marie or not. The degries are second of consanguinitie.

Thogh this be not found contrair to the Word of God, yet because it hes bein publickly reveilit in this realme, and that diverse inconvenients are perceivit to ensue of this libertie ; thinks it good, that it be offered to the civill magistrate, or els to ane parliament, for ordour to be taken therein ; in the mean time, that men take not libertie to themselves according to there fleshly filthie affectiouns ; notheles that the persones, in whose name this question was proponit, be joynit in marriage after there public repentance for the offences bygane, without any hope that uthers have the like licence, whill farther ordour be tane be the civil magistrat, as said is.

Anent the complaint givin in be the Superintendent of Fyfe, for the want of a preacher at the Kirk of Kilmany, pertaining as ane comoun kirk to St. Salvators Colledge in St. Androes, Mr John Rutherford Provost, and Mr William Ramfay ane of the ministers, was content that the Superintendent of Angus and Fyfe, Mr Christopher Gudman and Mr George Buchanan, should consider this complaint, and whatsoever they decydit therein and

ordainit to be done, they should fulfill the same in sick fort that no complaint should be heard heirafter.

Ane complaint was given in be the parochiners of Tinninghame, who payes ther teinds to the New Colledge of St Androes, and hes no preaching nor ministratioun of the sacraments, Mr John Dowglas rector of the Univerfitie and master of the said Colledge promised to the kirk to satisfie the saids complainers reasonablie, that heirafter the kirk shall not be troublit with farder complaint.

[Tuiching the requeist of the Commiffars of Edinburgh, that everie Minister or Reader should have a register of the names of the deceased of the place where they dwell, the day of the moneth and yeere, and deliver the copie thereof to the procurator fiscall, that pupills and creditors be not defrauded : It was answered, they could not lay fuche a charge upon their brethren, in respect none or few of the Ministrie had manfes and gleebes to make residence in ; bot how soone they obtained their manfes, they should exhort them, as they shalbe required, to doe conforme to the said Request. C.]

Sessio 4^{ta}, 28 Junij 1565.

Anent the complaint givin in be Mr Donald Monro, against Mr John Robertstone, thesawrer of Ros, minister of Urquhart, and Johne Watfou, minister of Alves, That wher they both accepted the ministrrie on them, and receivit ther stipends therfor, and now hes left ther vocation, requyrit the kirk to take ordour heirin : The haill Assemblie ordainit the saids persons to repaire towards there charges in the ministrrie, and enter againe therto incontinent after they be chargeit, under the paine of disobedience of the kirk, and discharging of ther allowance and stipends.

[Mr Robert Pont commissioner of Murrey, was appointed to trie, if Williame Roffe, Donald Adamfoune, John Murquhoufoune, and Alexander More, were worthie to be admitted be Mr Donald Monro as exhorters, to baptize and solemnize mariage.

Commiffion was given to Mr George Hay, parson of Ruthven, to visite kirks, schooles and colledges from Dee to Spey, to plant, remove simpliciter, or for a seafon, ministers ; to eradicate idolatrie, &c. till a Superintendent be admitted in the North, or at least till nixt Generall Assemblie.

The Superintendent of the West was enjoyned to vifite the kirks betwixt Ure and Neth, as he doeth other kirks within his jurisdiction of Glafgow, becaus these kirks pertained to that diocie of old; yitt the bounds of Superintendents charge was not conforme to the limits of the old diocies, for the diocie of Sanct Andrews was divided, and all the countrie dailes belonging to Glafgow of old. C.]

The hail Affemblic with ane voyce and mynd choofe Johne Knox, minifter of Edinbrugh, to receive the anfuers of articles fend from the Affemblic be the commiffioners therof to the Q. Majestie, and to advertife the superintendents of the fame; and alfe that he advertife the faithfull of things neceffar that fall happin betwixt this and the nixt Affemblic.

Thanks beand givin to God be John Willock Superintendent of the West, and the 25 of December nixt to come appointit for the nixt Affemblic to convein in Edinburgh, this Affemblic was diffolved.

A. D. M.D.LXV.

THE Generall Assemblie of the kirk, haldin in Edinburgh in the Ovir Tolbuith therof, the 25 of December 1565. In the whilk were present the Superintendents, Ministers, Exhorters, and Commiffioners of townes and kirks. The invocatioun of the name of God was made be John Knox, minifter of Edinburgh.

Sessio 1^{ma}.

First, for eschewing of confusioun in reasoning, and that every brother speak in his rowme with sikk modestie as becomes the ministers of Gods word to doe, with the whole consent of the brethren present, was chosen Johne Erkine of Dun, knyght, Superintendent of Mernes and Angus, to be moderator at this tyme, who acceptit the office on him.

[The superintendents of Louthian and Fife excused their slackness in visitation be the absence of the people following the Queen according to the proclamation. The Superintendent of Angus confessed, that he had not visited any kirk for two moneths bypast; but alledged withall, that his visitations could not be very profitable, in respect it behoved him to lodge in time of visitation with his friends for the most part, who had most need of correction and discipline; therefor he besought the Assemblie to provide some other to that office. Alexander, Commiffioner of Galloway, excused his not visiting, with the building of his nephews house.

Tuiching ministers, exhorters, or readers disobeying their superintendent; the Assemblie ordained the superintendent to call the disobedient before himself and some of the neereft discreet ministers; and if being convict of disobedience, he refuse to satisfie according to their injunctions, that he be suspended from his ministrie and stipend till the nixt Assemblie: At the which the superintendent shall notifie the whole proceeding, that

be their censure he may be farther corrected, or els restored to his former estate, according to the evidence of his repentance ; provided his kirk be provided for in the meantime be the superintendent.

Sir John Bellenden of Achinoull knight, Justice-Clerk, Mr James Makgill of Rankeillour, Mr John Row, John Craig, William Christefone, David Lindfay, ministers, and David Forrest, were appointed to conveen upon Wednesday, to decide questions proponed, and to report their decisions. C.]

The superintendent of Lowthiane complainit upon Mr Johne Frude, minister of Dumemanie, that wherin the last Generall Assemblie of the kirk it was decernit that Robert Paterfone and Jenat Litell sould have satisfied the kirk of Edinburgh, for the offence committed be them in contracting mariage without parents counsell, get nevertheles the said Mr John had perswadit them to solemnize the said mariage, ther bands not being proclaimit, and na satisfacioun made to the kirk of Edinburgh ; and also had caulit Mr Patrick Creich minister of Ratho to solemnize the said mariage betwixt the said parties in the kirk of Dumemanie, in great contemptioun of the decreit foirsaid, and all good ordour heirtofoir obseruit in the reformit kirk ; desyreing the kirk publicklye assemblit to take ordour herein, asweill anent the saids parties as the saids twa ministers. The kirk ordainit to call both the saids parties and ministers to ansuer to the said complaint, betuixt this and the end of the Assemblie.

In lyke maner, Mr Johne Winram complainit upon the said Mr Johne Frude, that by his counsell and perswasion the Ladie Kilconquhar and Johne Weymis had contractit mariage [per] verba de presenti, notwithstanding that ane woman, called Elizabeth Pot, had claimed the said Johne Weymes before the superintendent, whilk clame was not get justified ; and that Mr Andro Kirkadie had married the saids persouns, after the minister was departed out of the kirk where they were married. Ordained in like manner to answer to this complaint.

The haill Assemblie appointit Mr Johne Row at St Johnstoun to put in wryte answers to the answers givin be the Queens Majestie to the Articles presentit to her Hienes be the Commissioners of the last Assemblie of the Kirk, because her Hienes answers satisfied not fullie the Kirk, as in the samein plainly appeareth ; and the said Mr Johne to present them the morne after the preaching to the Assemblie, to advyse therwith, befor ther presenting to her Grace.

Followes the anfuere givin be the Queens Majestie to the Articles presentit to her Grace be the Commissioners of the Assemblie last haldin the 25 of Junij 1565, and als anfuers and requeists to these anfuers now conceivit in this Assemblie.

The Queens Majesties Anfuere.

To the first, desyreing the messe to be supprest and abolisht, alsweill as in the head as in the members, with the punishment agains the contraveiners; as also the religioun now professit to be establisht be ane act of Parliament: It is anfuereit first, for the part of her Majesties selfe, that her Hienes is nawayes get persuadit in the said religioun, nor get that any impietie is in the Messe, and therefor believes that her loving subjects will no wayes prease her to receive any religioun agains her awin conscience, whilk sould bring her to perpetuall trouble be remorse of conscience, and therewith ane perpetuall unquyetnes. And to deall plainly with her subjects, her Majestie neither may nor will leave the religioun wherin scho hes bein nourisht and upbrocht, and beleives the samein to be weill groundit; knowing, besydes the grudge of conscience, if scho sould receive any change in her awin religioun, that sho sould tyne the freindship of the King of France, the ancient allya of this realme, and of other great princes her friends and confederates, who wold take the samein in evil pairt, and of whom scho may looke for great support in all her necessities. And having no consideration that may counterwey the same, sho wilbe laith to put in hazard the lose of all her freinds in ane instant; praying all her loving subjects, seeing they have had experience of her goodnes, that scho neither hes in tymes bypast not get meanes heirafter to prease the conscience of any man, but that they may worship God in sikk sort as they are persuadit to be best, that they also will not prease her to offend her awin conscience.

As for establisshing of religioun in the body of the realme, they themselves knowe, as appeirs weill be ther Articles, that the same cannot be done be only assent of her Majestie, but requyres necessarlie the consent of the thrie estates in Parliament; and therfor sa soone as the Parliament holds, that whilk the thrie Estates aggries upon among themselves, her Majestie fall grant the same to them, and allwayes make them sure that no man

falbe troublit for ufing themfelves in religioun according to ther confcience, fo that no man fall have caufe to doubt that for religiouns fake mens lyves or heiritages falbe in hazard.

To the fecond article it is anfuerit, that her Majeftie thinks it no wayes reafonable that fcho fould defraude her felfe of fa great a part of the patrimonie of her crowne, as to put the patronage of benefices furth of her awin hands; for her awin neceffitie in bearing of her port and commoun charges will requyre the retentioun of ane good part in her awin hands. Nottheles her Majeftie is well pleafed, that confideration being had of her awin neceffitie, and what may be fufficient for her, and for the reafonable fuffentatioun of the minifters, ane fpeciall affignation be made to them in places moft comodious to intronett therwith; the whilk her Majeftie fall not intronett with, bot fuffer the famein to come to them.

To the thrid Article, her Majeftie fall doe therein as falbe agreeit be the Eftates in Parliament.

To the fourth Article, her Majefties liberalitie towards the poore falbe alwayes als farre extendit as can be reafonable requyrit at her hands.

To the fyfth Article, her Majeftie will referre the takeing ordour with th at, andals of the faxt Article, to the Parliament.

The anfuers of the Kirk to thir above wrytin followes.

Firft, where Her Majeftie anfuers that fcho is not perfwadit in religioun, neither that fcho understands any impietie in the Mefle, bot that the famein is well groundit. That is no fmall greife to the chriftian hearts of her godlie fubjects, confidering that the trumpet of Chryfts evangell hes bein fo long blown in this countrey, and his mercie fo plainly offerit in the fame, that her Majeftie remains zet unperfwadit of the truth of this our religioun; for our religioun is nocht els bot the fame religioun whilk Jefus Chryft hes in the laft dayes reveilit from the bofome of his Father, whereof he made his Apoftles meffingers, and they preachit and eftablichit among his faithfull, to the gaine comeing of our Lord Jefus Chryft; whilk differs from the impietie of the Turkes, the blaphemie of

the Jewes, the vaine superstitioun of the Papists, in this, that our religioun hes only God the Father, his only Sonne Jesus Chryst our Lord, his Holie Spirit speikand in his Prophets and Apostles for authors therof, and ther doctrine and practife for the ground of the same; the whilk no uther religioun upon the face of the earth can justlie alledge or plainly prove; zea, whatsomevir assureance the Papists hes for mantenance of ther religioun, the same hes the Turkes for mantenance of ther Alcoran; and the Jewes farre greater for defence of ther ceremonies, whether it be antiquitie of tyme, consent of peiple, authoritie of [counsellis,] great number or multitude consenting together, or any other sikk lyke cloakes they can pretend; and therefor, as we are dolorous that Her Majestie in this our religioun is not perswaded, so most reverentlie we requyre in the name of the Eternal God, that her Hienes wald imbrace the means wherby scho may be perswadit of the trueth; whilk presentlie we offer unto Her Grace as weill be preaching of his Word, whilk is the chiefe means appointit be God to perswade all his chossen children of his infallible veritie, as be publick disputation agains the adversares of this our religioun, deceivers of her Majestie, whensoever it salbe thocht expedient to her Grace. And as to the impietie of the Messe we darre be bold to affirme, that in that Idole ther is great impietie; from the beginning to the ending, it is nothing els bot ane masse of impietie; the author or fayer, the actioun itsel, the opinioun thereof conceivit, the heirars and gazers upon it allowes sacrilege, pronounces blasphemie, and committs most abominable idolatrie, as we have evir offerit and get offer ourselves most manifestlie to prove.

And wher her Majestie esteims that the change of religion sould dissolve the confederacie and allyance that sho hes with the King of France and uthers princes: Assuredly Christs true religion is the undoubtit meane to knitt up fure true confederacie and friendship with him that is King of all kings, and him who hes the hearts of all princes into his hands; whilk ought to be more precious to her Majestie nor the confederacie of all the princes; without the whilk, neither confederacie thereof nor kindness can indure.

Concerning her Majesties answer to the second article, wheras scho thinks it no wayes reasonable to defraude her selfe of the patronage of the benefices, whilk her Majestie esteims to be ane portion of her patrimonie, and that her Majestie is myndit to retaine a good part of the benefices in her awin hands to support the comoun charges.

As to the first point, [our mind is not], that her Majestie or anie uther patron of this realme sould be defrauded of ther just patronages; bot we meane whensoever her Majestie or any uther patron does present any person to a benefice, that the person presentit sould be tryit and examineit be the judgement of learned men of the kirk, sikk as presentlie are the superintendents appointed therto. And as the presentation of benefices pertaines to the patrone, sa aucht the collatioun therof be law and reason pertaine to the kirk; of the whilk collatioun the kirk sould not be defraudit, more nor the patrones of ther presentation; for utherwayes, if it salbe leifum to the patrone absolutely to present whomever they please, without tryall or examination, what then can abyde in the kirk of God bot meere ignorance without all ordour.

As to the second point, concerning the retentioun of a good part of the benefices in her Majesties awin hands: this point aberreth so farre from good conscience, alswell of Gods law as fra the publick ordour of our comoun lawes, that we are loath to opin up the ground of the matter be any long circumstances; and therfor we most reverently wish that her Majestie wold consider the matter with herselfe and her wife counsell, that howsoever the patronage of benefices may appertaine to hir selfe, yet the retentioun therof in her awin hands, undisponit to qualified persons, is both ungodlie and als contrair to all publick ordour, and brings no small confusioun to the poore soules of the comoun peiple, who by this means sould be instructit of their salvation. And wher her Majestie concludes in her second ansuer, that scho is content that ane sufficient and reasonable sustentatioun of the ministers be provydit to them, be assignatiouns in places most comodious to them, consideratioun beand had of her awin necessitie; as we are desyreous altogether that her Graces necessitie sould be releivit, so our duetie craves that we sould notifie to her Grace the true ordour that sould be observit to her in this behalfe, whilk is this: The teyndis are properlie reputit to be the patrimonie of the kirk, upon the whilks befor all things they that travells in the ministrie therof, and the poore indigent members of Chryst, aucht to be sustaint, the kirks also repairit, and the youth brocht up in good lettres. Whilks things beand done, then uther necessitie reasonable might be supported, according as her Grace and her godlie counsell could think expedient. Allwayes, we cannot but thank her Majestie most reverently, of her liberall offer of assignatioun to be made to the ministers for ther sustentation, whilk not theles is so generallie conceivit, that without more speciall

condescending upon the particulars therof, no executioun is able to follow therupon. And so to conclude with her Majestie at this present, we desyre most earnestlie the saids ministers articles to be reformat; beseikand God, that as they are reasonable and godlie, so her Graces heart, and the estates presentlie conveyit, may be inclynit and perswadit to the performance therof.

Seff. 2^a. 26 December 1565.

Anent the generall complaint of the ministers, exhorters and reidars, for wanting of their stipends, and as touching them that hes put violent hand in ministers for reproveing of vyce, the haill Assemblie ordainit ane generall supplicatioun to be presentit to her Majestie and counsell; and als requieftit the Lord Lindesay, and David Murray, brother to the Laird of Balvaird, to present the same, and to report the anfuer againe to the Assemblie.

The tenour of the supplication followes.

Unto your Majestie and most honourable counsell, humblie meanes and complaines, We your Graces most obedient subiects, the confessors of Chryst Jesus, and his holie evangell within this realme, in name and behalfe of our ministers, exhorters and reidars; that wher oft and divers tymes promise hes bein made to us, that our saids brethren, travelers and preachers in the kirk of God, sould not be defraudit of their appointit stipends, neither get in any wayes sould be molefit in their functioun; get nottheles univerfallie they want ther stipends appointit for diverse tymes by past; violent hands are putt in some for no uther cause, as they alledge, but for reproveing of vyce; and none knowes what affurance he sall have of any reasonable lyfe in tyme to come. Our most humble requieft is therfor unto your Majestie, that our ministers may be payed of ther by gane stipends; that sick as hes receivit assignatioun therof from the former collectors, may have executioun of ther assignatiouns; that your Grace pleases to appoint the assignatioun promised into your Hienes last anfuers to the petitionous of the kirk, so that we may know be what meanes our said ministers may be sustainit in tyme to come; and finally, how they may live without molefatioun of wicked men: And your Graces anfuer we most humblie beseik.

Anent the question, whither any might marie his wyfes brother daughter, or his wyfes fister daughter, and what ordour fould be tane if any fick mariages be made, it was votit and found be the word of God, that none may marie his wyfes brother or fister daughter, and if any fuch mariages was contracted, the famein to be null and aught not to stand.

Perfons revolting from the professioun of the gospels, by offering ther children to be baptized after the papistcally maner, or receiving themselves the sacrament of the altar, after admonitioun, to be excommunicat if repentance intervein not, &c.

[The Commiffioners of Sanct Andrews requested that Mr Knox might be transplanted and placed in Sanct Andrews, which was refused. The Assambleie willed them to choise one out of their own univerfitie, in place of Christopher Gudman, who latelie departed into England. C.]

Seff. 3^a 27 December 1565.

Anent the complaint givin in be the Superintendent of Lowthiane aganis Mr Patrick Creiche, minister of Ratho, for the marieing of Robert Paterfone and Janet Littell in Dumanie kirk, neither the bands being proclaimit, nor get satisfiatioun made to the Kirk of Edinburgh, according to the tenour of the decreit of the last Assambleie: The said Mr Patrick grantit publickly that he had offendit, and submittit himselfe to the correctioun of the kirk. Therfor be the hail Assambleie he was ordainit to satisfie the kirk of Edinburgh, upon two severall sondayis, be his awin opin confessioun, when the said Kirk of Edinburgh shall requyre him; and the thrid sonday, to satisfie the Kirk of Dumdanie, wher the offence was committed; suspending for this present all farther correctioun, in hope of his better bearing in tymes to come.

The hail Assambleie in ane voyce statutes and ordaines, that no minister heirafter receive the parochiners of ane other paroch to be maried, without a sufficient testimoniall of the minister of the paroch wherfra they came, that the bands are lawfullie proclaimit, and na impediment found; sua that the ordour that hes bein tane be the kirk in sick affaires be dewlie observit, under the paine of deprivation fra his ministrie, tinfell of his stipend, and uthers paines, as the Generall Kirk shall heirafter thinke to be injoynt.

Anent the complaint givin in be the Superintendent of Fyfe agains John Melvill, minister of Craill, alledging the said John to preceid to the solem-nizatioun of mariage betuixt Robert Arnot and Euphame Corftarphin, notwithstanding that ane uther woman claims the said Robert ; the hail kirk assemblit, ordainit ane inhibitioun to passe agains the said Johne, that he in no wayes solemnize the said mariage untill sick tyme as Mr John Dowglas, rector of the Univerfitie, and Mr James Wilkie regent, heare the complaints to be givin in be the said superintendent, and alsf any uther partie haveand entrefse, and the same to be discussit be them ; give-and power to them to give fourth sentence according to Gods word, and to use the censures of the kirk agains the dissobeyars.

Sess. 4th. 28 December 1565.

[The Assembly gave commissioun to Mr John Row, minister of Sanct Johnston, to visite kirks, schools, colledges, to remove or suspend ministers, exhorters, readers, in Kyle, Carrick, and Cuninghame, as they shall be found offensive or unable, to eradicat idolatrie, &c. and the Superintendents of Angus and Fife to supply his place in his absence alternatim.

Mr Knox was appointed to penn a comfortable letter, in name of the Assembly, to encourage ministers, exhorters, readers, to continue in their vocation, which in all likelihood they were to leave off, for lack of pay-ment of stipends ; and to exhort the professors within the realm to supply their necessities. He was appointed likewise to visite, preach, and plant kirks in the South, where there was not a superintendent, and to remain so long as occasion might suffer. C.]

Master Johne Frude, minister of Dumemanie, is ordained to satisfie, as is befor sett downe in the thrid sessioun anent Mr Patrick Creich, for his offence specified in the act of the first sessioun ; suspendand the said Mr Johne fra all functioun in the ministrie in the meantime, whill the compleiting of the said satisfactioun, and thereafter to returne to his vocation and ministrie.

[The brethren appointed in the first sessioun to decide questions, reported the questions and decisions to this sessioun. C.]

It was askit, if it be lawfull that a minister, what title or honour that ever he beare, receiving sufficient benefite and provisioun of his flocke, may leave them, and make his comoun residence in uther places, so that his

flocke is destitute alsweill of his doctrine and ministrie, as of other comfort that the flocke sould receive of ane faithfull pastour, notwithstanding that worldlie reasons may seime to excuse the absence of some?

The ansuer.—No minister of the evangell of Jesus Christ, nor no person receiving sufficient living for the preaching of the evangell, may with safe conscience leave his vocation, together with his flocke, and the place appointed for his ordinarie residence, what permissione and oversight that ever he hes be corruption of tymes, or negligence of rulers, sa to doe.

If sicker as hes once entrit in the ministrie, bein appointed be the superintendent, and receivit of the peiple, may leave ther vocation and follow the world, because they cannot have a sufficient stipend?

The ansuer.—Seeing that our master Chryst Jesus pronounces that he is but ane mercenarie shepheard, who seeing the wolfe comeing, flieth for his awin safeguard, and that the very danger of lyfe cannot be ane sufficient excuse for sicker as fall back from Jesus Chryst; We on na wayes thinks it lawfull that sicker as once puts there hand to the plough, shall leave that heavinlie vocation and returns to the profane world, for indigence or poverty. Lawfullie they may leave ane unthankfull peiple, and seik wher Jesus Chryst his holy evangell may bring forth greater fruit; but lawfullie they may never change their vocation.

[Their judgement concerning marraige contracted without consent of parents, was referred to farder advisement; the order prescribed be the Assemblie to Robert Paterson and Janet Littill excepted. C.]

If knowin murtherers, with convict adulterers, together with sicker as comitt [the like] horrible crymes, may not, upon the notorie of ther fault, be denunceit excommunicat, for declaratioun that the kirk abhorres sicker impietie, &c.?

Ansuer.—The kirk may and aught to purge her selfe of sicker notorious malefactors, provyding that the offenders be lawfullie callit, and convict either be ther awin confessioun or witnes.

The ordour to call them for the slander (for civill things we remit to the civile magistrate) we judge to be this: Whensoever sicker fearful crymes are comittit, if it be in the country, the minister, reidar, or exhorter of that place, or if ther be nane, the minister of the place nixt adjacent, aught to give signification of the fact to the superintendent of that dyocie, who without delay ought to direct his sumounds, chargeing the persons slanderit to compeir before him at a certaine day and place.

Or, if it be done in townes wher ordour is established, the fessiou therof aught to call the accusit offenders, who, if they compeir, and either alledge just defence, or shew themselves unfainedly penitent, then man the superintendent, and kirks reformed without the superintendent, dispense somewhat with the rigor of the punishment, secluding onlie the offender fra participatioun of the sacraments till farder tryall of his repentance, and that baith ther diligence and sentence be publickly pronouneit in the kirk wher the offence is knowin.

Bot if the offender be stubborne, as if he compeir not or shew himselve litle touchit with his offence, then aught the superintendent, with advyce of the nixt reformit kirk, to discerne him or them to be secludit from all participatioun of comunioun with the faithfull members of Jesus Chryst, and to be givin to Satan to the destructioun of the flesh, whois slaves, (be impietie committit, and impenitencie shawin), they declare themselves to be; and ther sentence to be publihit in all places wher the offence is knowin. If the persons secludit from the sacraments be negligent in seiking reconciliatioun with the kirk, - behave themselves infolentlie or utherways then it becomes penitent persons, the kirk, after admonitioun, may proceid to the uttermost; for wanton behaviour, after iniquitie comittit, is ane plaine argument of impenitency; and negligencie to seik reconciliatioun, declares that contempt lurkes in the heart.

If baptisme be administred be ane papist preist, or in the papisticall maner, salbe reiterat.

When sick children comes to zeirs of understanding, they sould be instructit in the doctrine of salvatioun; the corruption of the papistrie must be declared to them, whilk they must publickly damne befor they be admittit to the Lords Table, whilks if they doe, there neids not the externall signe to be reiterat, for no papists ministers baptisme without watter, and some forme of word, whilk are the principalls of the externall signe. We ourselves were baptized be papists whose corruptiouns and abuses now we damne, cleaving only to the simple ordinance of Jesus Chryst, and to the vertue of the Holy Spirit, whilk makes baptisme to work in us the proper effects therof, without any reiteratioun of the externall signe. If such children come never to the knowledge of the true doctrine, they are to be left to the judgement of God.

What ordour ought to be usit agains sick as oppressis children?

As concerning punishment, the civile magistrate aught therein to dif-

cerne ; as touching the slander, the persons aught to be secludit from participatioun of the Sacraments, whill they have satisfied the kirk as they falbe comandit.

What punishment falbe ufit agains them that ly in fornicatioun; under promife of mariage, whilk they deferre to solemnizat, and to satisfie be publick repentance for the slander givin? Alsweill the man as the woman, fould publickly in the place of repentance lykewayes satisfie on ane Sunday befor they be maried.

[Mr John Craig, one of the ministers of Edinburgh, Mr John Douglas rector of the Univerfitie of Sanct Andrews, Mr Robert Maitland deane of Aberdein, William Christiesone minister at Dundie, Mr David Lindsay minister at Leith, Mr Gilbert Garden minister at Moniefuth, Mr Thomas Mackcalgean, and Mr John Marjoribankes, commissioners for Edinburgh, were appointed, in the third sessioun, to collect the heads and causes of the publick fast : They returned in this sessioun, and declared the necessitie of a publick fast at this time ; therfor the Assemblie, with ane voice, ordained Mr Knox and Mr Craig ministers at Edinburgh, to set out the form therof, with the exercise to be used in the same, and to cause Robert Likprevick print it. C.]

A. D. M.D.LXVI.

THE General Affemblic of the kirk, haldin in Edinburgh, within the counsell houfe therof, the 25 day of Junij 1566. In the whilk were present Erles, Lords, Barons of the Privie Counsell, viz. Erle of Huntlie, chancellor, and Erle of Argyle, Alexander of Galloway, Adam of Orknay, ane of the fessioun, Johne, commendator of Lindoiris, Johne Balfour of Pettindreich, knycht, with the Superintendents, Ministers, and Commissioners for townes and particular kirks. The invocatioun of the name of God made be Mr John Craig, minister of Edinburgh.

First, for eschewing confusioun in reasoning, and to the effect that every brother speake with sikk modestie and measure as becomes the ministers of Gods word to doe, with the assent of the whole Affemblic, Johne Erskine of Dun, knycht, Superintendent of Angus and Mernes, was continuat moderator, who was content for the present to use the office.

[In the tryall of superintendents, the Superintendent of Fife confessed his own inabilityie to discharge the office, and desired the Affemblic to denude him of it.

Mr Johne Douglas rector of the Univerfitie of Sanct Andrews, Mr George Hay minister of Ruthven, Mr George Buchanan, Mr Robert Pont and Mr Robert Hamiltoun, were appointed to sit apart at set times, to receive and decide questions, and to report the decisions to the Affemblic. C.]

Ordaines that some of the brethren, in name of the hail kirk, make supplicatioun to the Secret Counsell and Sessioun of Justice, that no excommunicat person have any proces befor their honours unto the tyme they be reconcileit to the kirk, cheiffie when it is notour and objectit agains.

Anent the supplicatioun presentit be this Affemblic, in name of Robert, comendator of Halierudehouse, shawand in effect how it was not unknowin

to there wifdoms, that he had diuerſe godlie and learned men of his awin place of Halyrudehouſ, ſick as Alexander Forreſter and Peter Blackwood, who are men of good conuerſation and literature, were received and admittit be the kirk in the miniſtrie, and how he had diuerſe kirks pertaining to the ſaid kirk, as the kirks of Tranent and St Cuthbert, and alledgit that moſt decent and convenient it were that his ſaids kirks ſould be ſeruit be the ſervants of the ſaid abbay: Heirfor requeiſtit moſt earneſtly that the kirk preſentlie aſſemblit ſould transport Mr Thomas Cranſtoun and William Harlaw, now miniſters of his ſaids kirks, and place them at ſome uther kirk as ſould be thoght good be the hail Aſſembly to appoint them, and to place his ſaids ſervants at his ſaids kirks as miniſters, there to be ſeruit be them in tyme comeing, as in the ſaid requeiſt at lenth was conteinit.

The kirk having rypely conſiderit the ſaid ſupplicatioun, and advyſeit therupon, cauſit call befor them ſome of the elders of the ſaids parochines, and diligentlie inqyred if they had any fault to lay againſt there miniſters, or if they wald be content that they ſould be transportit fra them? Anſuer was givin, that they had no cryme nor fault to there miniſters, but that they were better contentit with them then they wald be with any other who could be preſentit to them, and attour on naway wald be content that any of them ſould be transportit from them. Therfor the kirk preſentlie aſſemblit, on naway could condiscend to the transportatioun of any of them, for the reſpects befor rehearſit; bot brotherly requeiſtit the ſaid Lord Comendator to provyde for ſome uther godly miniſters for ſome uthers of his kirks whilks are altogether deſtitute of the preaching of the true word of God, the ſpeciall foode of ther ſoules, whilk they doubt not but his Lordſhip will doe for diſcharge of his awin conſcience.

[It was ordained that a requeſt be written, and ſent to the noblemen in whoſe bounds ſome popiſh preiſts haunted and remained, and abuſed the ſacraments, and celebrated marriages for lucre. C.]

Seſſ. 2^{da}. 26 Junij 1566.

The hail Aſſembly, in reſpect of the perrills and dangers wherwith the kirk of God is affaulted, and that be the mightie enemies, concludit a generall faſt to be publiſhed throughout this realme in all the kirks reformeit.

[A publiſh faſt was appointed to be holden on the two laſt Sabbaths of

Julie nixt, and the communion to be ministred upon the saids Lords days, if it may be done convenientlie. C.]

Anent the supplicatioun givin in be Paul Methven, makeand ane lang rehearfall of his miserable estate, the supplicatioun presentit in his name to the Generall Affemblie haldin in Edinburgh in December 1564; of the estate of the ansuer therto from the said Affemblie; of his long and tedious journey out of England to Scotland, and impediments that chanced him by the way. Finallie, requeists for ane of thir twa, that is, either to suspend excommunicating of the kirk for a tyme, and receive him in the fellowship of the same, as ane poore sheip, upon ane condition, wher evir he chances to be, upon halfe a zeirs warning, he salbe bund to returne againe at command of the kirk, and obey sikk injunctiouns as they wold command him to doe. Or if the kirk pleasit not this petition, then to committ his ansuer to sikk as the kirk sould please appoint, whose judgement and determinatioun (as his bodie micht beir) he promised be Gods grace most humblie to obey. Finallie, all counsell that have followit heirtofoir, and himselfe he most humblie submittit to the judgement of the present Affemblie, as in the said supplicatioun at length was conteinit. Last of all, it was ordainit that he present himselfe personallie befor the Affemblie; and being entrit, prostrate himself befor the whole brethren, with weiping and houleing; and commandit to ryse, might not expresse farder his requeist, being as appearit so fore troublit with anguish of heart, was desyrit to be of good confort, and depart to his ludging, whill ordour were tane anent his requeist.

And forsameikle as in the said Affemblie, haldin in December 1564, it was concludit to receive him to repentance, now restit to conclude upon the maner therof what he sould doe, when and wher; and for that purpose was appointed the Superintendent of Fyffe, Mr Johne Dowglas rector of St Androes, David Forrest, Mr George Hay minister of Ruthven, Mr Johne Craig minister of Edinburgh, Johne Row of St Jonstoun, William Chrystefone of Dundie, and Adame Heriot of Aberdeine, ministers, that they sevin or fixe of them sould conveye the morne, at sevin houres befor noone, and appoint and take ordour in the premiffes; and whatsumevir they doe heiranent, to signifie the same to the superintendent of Laithiane and session of the kirk of Edinburgh; and ordaines them to put the commissioners ordinance to execution; and als ordaines that the said Paul Methven obey the same according to ther directiouns; and ordaines that

the said superintendent and kirk of Edinburgh, delyver the said ordinance to the scribe of the Generall Assemblie, that he may insert the same among uthers acts of the Generall Assemblie, for ane remembrance to the posteritie.

Questions and ther Ansuers.

First, It is asked, if any man contract mariage with ane woman once married, and her husband departing fra her to uther countreyes, and being absent ix or x zeirs together, the woman having no testimoniall of his death or not?

Answerit, The woman desyreing to marie, aught to seik, or cause to seik, whither her first husband be dead or not, and to report ane sufficient testimoniall of his death or ever scho may joyne herselfe to another husband.

Whidder, if any person seikand donatioun or confirmation of benefices at the Popes kirk, may be admittit to minister in the kirk of God?

Answerit, That sick a person aught not to be admittit to the ministrie, as the question is conceivit.

[Whether a minister may enjoy a benefice sufficient for his sustentation, where he travelleth not in the preaching of the word? It was answered, That he ought to travell in the word where he receaveth his sustentation, unless the kirk appoint otherwise. C.]

The commissioners appointit be the Generall Assemblie for ordouring of Paul Methven his repentance, [reported the same to Mr John Gray scribe of the Assemblie, in the tenour as followeth. C.] In consideratioun of the said Pauls lamentable supplicatioun to the kirk, humble submissioun of himselfe to the same, and his absence out of this realme the space of two zeirs or mair; Ordaines the ministrie of Edinburgh, that he upon ane Sunday after sermoun notifie unto the peiple the said Paul his supplicatioun, and how the General Assemblie hes ordainit to receive him to repentance with the conditions underwryten: And therfor to admonish all faithfull brethren that they, within the next aucht dayes, notifie to the said minister of Edinburgh, if any of them hes any knowledge, or are surelie informit of the said Paul his conversatioun and behaviour since his departure forth of this realme, whilk might imped his receiving to repentance; whilk salbe on this maner, viz. The said Paul, upon the said two preaching dayes betuixt the Sondayes, fall come to the kirk doore of Edinburgh, when the second bell rings, clad

in sackcloath, baireheidit and bairefoottit, and there remaine whill he be brocht into the fermoun, and placeit in the publick spectakill above the peiple in tyme of every fermoun dureing the said two dayes, and in the nixt Sondag thereafter fall compeir in lykemaner, and in the end of the fermoun fall declare signes of his inward repentance to the peiple, humblie requyring the kirks forgivenes; whilk done, he salbe cled in his awin apparrell, and receivit in the society of the kirk, as ane lyvelie member thereof; and this same ordour to be observit in Dundie and Jedbrucht, alwayes secluding him fra any functioun of the ministrie of the kirk, and also from participatioun of the table of the Lord Jesus, unto the 25 of December nixt to come, when the Generall Assemblie of the kirk conveines, unto the whilk they ordaine the said Paul to resort, bringand with him sufficient testimoniall from autentique persons, of these places where he in the meane tyme fall chance to remaine, reportand his conversatioun and behaviour; at the whilk tyme the kirk fall take farder ordour what fall be done anent him.

[Mr John Craig, minister of Edinburgh, desired that John Carnes, who had read prayers and exhorted four zeirs and more in Edinburgh, and had weill profited, so that he was now able to be admitted to the ministrie, might be joynd with him as colleague in the kirk of Edinburgh, in respect he was alone: The Assemblie ordained the kirk of Edinburgh, with the assistance of the superintendent of Louthian, to consider whether he were fit and sufficient for that place, or some other. C.]

A. D. M.D.LXVI.

THE General Assemblie of the Kirk, haldin in Edinburgh, in the Nether Counsell Houfe therof, upon the 25 day of December 1566. In the whilk were present the Superintendents, Ministers, and Comissioners of Shyres, Townes, and Kirks. The invocatioun of Gods name made be Mr Johne Craig minister of Edinburgh.

In the first, for ordour to be observit in reasoning, and that every brother speake to his purpose in sikk measure as it becomes the minister of Gods word to doe, Johne Erkine of Dun, Superintendent of Angus and Mernes, was continewit moderator, wherof he was content.

[Beside the triell of the superintendents, James Knox, reader in Bathgate, was censured for baptizing of bairns and solemning of marriage, he being but a simple reader, and taking money for the same from such as were without the parochie. C.]

Sessio 2^{da}. 26 December 1566.

Anent the assignatioun of the pensioun of money and victualls offerit be the Queens Majestie and her most honourable counsell, for the sustentatioun of the ministers within this realme; the haill brethren present requyreit the ministers being in the Sessioun to passe forth of the Assemblie, and with mature deliberatioun to consult and advyse with the said assignatioun, whether they shall think it good to accept the same for releife of ther present necessitie or not. After lang reasoning and mutuall conference anent the said assignatioun, returneing againe in the Assemblie, thought it good for support of the ministers necessitie to accept of the said

offer of money and victualls, if they might be gottin hastielie : Nottheles, in confideratioun of the law of God, ordaines the persons who heirs the doctrine of saluatioun at the mouthes of his ministers, and thereby receives speciall food to the nourishment of ther faules, to communicat temporal sustentatioun on ther preachers, there ansuer is, that having iust title to crave the bodily food at the hands of the forsaids perfonnes, and finding na others bound unto them, they only requyre at ther awin flocke, that they will sustaine them according to ther bunden duetie ; and what it fall please them to give them for ther sustentatioun, if it were but bread and watter, neither will they refuse it, nor desist from their vocatioun ; but to take from uthers contrair ther will whom they serue not, they judge it not ther duetie, nor get reasonable ; alwayes they most heartlie thank the Lords that bestowit ther labours and pains in purchasng the forsaid assignatioun, most heartlie requeisting ther honours to persevere whill they bring it some perfection.

Neverthelesse, the haill Assemblie solemnlie protestit that this acceptation of the foirsaid assignatioun for the releife as said is, prejudges not the libertie of the Kirk to sute for that thing that iustlie pertaineth to the patrimonie of the same, in tyme and place convenient, in any tyme heir-after.

[The Assemblie appointed Alexander, bishop of Galloway, Mr John Spotswood Superintendent of Louthian, the Lairds of Carden and Keir, to repair to Stirline, and to folicite for the extracts of the said assignation from the comptroller and clerk-regifter, that letters may be raised there-upon ; and that they report their answer to the session at Edinburgh, that the commissiouners which are to be appointed for division of the said assignation may be advertised. The commissiouners were chosen and appointed to conveen at Edinburgh, within ten days after advertisement, to divide the said assignation of money and victualls among ministers, exhorters, and readers, according to their discretioun. C.]

The same day were proponit thir questiouns underwryten, and ansuers givin therto as followes.

Whither if the teindis properlie pertaines to the kirk, and sould only be applyit to the ministers sustentation, to the poore, mantaining of schooles, repairing of kirks, and uther godlie uses at the discretioun of the Kirk ?

Answerit affirmativè without contradiçtioun.

Secondlie, if the teindis pertaines to the kirk, and aught to be imployit to lick godlie uses as said is, Whither if the ministers, who are the mouth of the kirk, may with safe conscience keip silence, seeing the patrimonie of the kirk most unjustlie tane up and waftit in vaine things be lick perfones as beares no office in the kirk of God, and in the meanetyme the ministrie ceasand for necessitie, the poore perishing for hunger, schooles decayand, and kirks falland to the ground?

Anfuerit, They ought not to keip silence, but earnestly to admonish every man of his duetie, and desyres all men to sute for that whilk pertaines justlie to the sustaining of the things foirfaids.

Thridlie, Whither if the kirk may justlie requyre of all possessours the teyndis to be payit to the kirk only, and inhibite all uthers to intromitt therwith; and in cace of disobedience, what ordour fall be unfit be the kirk agains them.

Anfuerit, After dew admonitioun unfit, and no obedience found, to use the censures of the kirk.

Sessio 3^a 27 December 1566.

Anent Mr Knoxs requeist to passe to the realme of England to visite his children, and to doe his other busines, the hail Assemblie grantit gladly licence, with letters testimonialls of his honest conversatioun and godlie doctrine within this realme, with provision as is conteinit in the saids letters; the tenour wherof followes.

The Superintendents, Ministers and Commissioners of Kirks within the Realme of Scotland presentlie assemblit, To all and fundrie faithful brethren to whose knowledge thir presents fall come, wifcheth grace, mercie and peace from God the Father, and from our Lord Jesus Chryst.

Witt your Universties, that our loving brother Johne Knox, bearer of thir presents, hes bein and is ane true and faithful minister of the Evangell of Jesus Chryst within this realme of Scotland, continually within thir viij zeirs by gane or therabout; in doctrine pure, and sincere in lyfe and

converſation, in our ſights inculpable, and heſ ſo fruitfully uſit that talent grantit to him be the Eternal, to the advancement of the glorie of his godlie name, to the propagation of the kingdom of Jeſus Chryſt, and edifieing of them who heard his preaching, that of duetie we moſt heartilie praife his godlie Majeſtie, for that ſo great ane benefite grantit unto him for our utilitie and profite. And becauſe he, for the naturall love and affectioun he beares to his childrein, now being within the realme of Ingland, and favour to uthers his brethren, requested us to grant him licence for ane ſeaſon, to repaire toward the ſaid realme of Ingland, for the cauſes above mentionat, We, after mutual conference in full Aſſemblic, thocht this petition juſt and reaſonable, and therfor all in ane voyce grants licence to our ſaid brother, according to the Queens Majeſties conduct, to paſſe to the ſaid realme, for the purpoſes foirſpoken and uthers his lawfull affaires, what time he ſhall think moſt comodious for his journey; provydeing all-ways that he returne to this realme of Scotland before the 25 of the moneth of Junij nixt inſewing, to continue in his former vocatioun, and na utherways. And this we make knowin to all and fundrie to whom it effeirs, be thir our Letters Teſtimonials, givin at Edinburgh in our General Aſſemblic, and thrid Seſſion therof, ſubſcryvit be the Clerk of the ſame, the xxvii of December.

Attour ordainit ane letter to be directit to the Biſchops of Ingland, that they wald be content gentlie to handle the brethren preachers, touching the habits ſurp-cloathes and uthers abulgements, whilk appeirantlie tends more to ſuperſtition nor to edification; and requeiſts Maſter Knox to put the heads in write whilk he thinks neceſſar to be wryten to the ſaids Biſchops. The tenour whereof followes.

The Superintendents, Miniſters, and Comiſſioners of Kirks within the realme of Scotland, to there brethren the Biſchops and paſtours of Ingland, who heſ renounced the Romaue Antichryſt, and does profeſſe with them the Lord Jeſus in ſinceritie, deſyres the perpetuall increaſe of the Holie Spirit.

By word and write it is come to our knowlege, Reverend Paſtors, that diſverſe of our deireſt brethren, among whom are ſome of the beſt learnit

within that realme, are depriuit fra ecclesiastical functioun, and forbidden to preach, and so by you are stayed to promote the kingdome of Chryst, because ther conscience will not suffer them to take upon them, at the comandment of the authoritie, sick garments as idolaters in the tyme of blindnes have usit in the tyme of idolatrie ; whilk brute cannot be but most dolorous to our hearts, myndfull of that sentence of the Apostle, saying, If ge byte and devore ane another, take good heid leaft ge be confumit ane of another.

We purpose not at this present to enter upon the ground whilk we heare of either partie to be aggrieted with greater vehemence then well lyketh us ; to witt, whether sick apparrell be to be countit amongs things that is simple and indifferent, or not. Bot in the bowells of Chryst Jesus we crave, that christian charitie may so farre prevail in you, in you we say the Pastors and Leaders of the flocke in that realme, that ge doe not to others that whilk ge would others did not to you ; ge cannot be ignorant how tender a thing the conscience of man is ; all that have knowledge are not alyke perswadit, get conscience reclaimes not at the wearing of sick garments ; bot many thousands both godly and learned are utherwayes perswadit, whose consciences are continually striken with thir sentences ; Whatt hes Chryst Jesus to doe with Belial ? Whatt hes darknes adoe with light ? If surp-claithes, cornett cap and tippet, has bein badges of idolaters in the verie act of ther idolatrie, what hes the preacher of Christian libertie and the oppin rebuiker of all superstitioun to doe with the dregges of that Romish beast ; gea what is he that ought not to feare either to take in his hand or foirheid, the print and marke of that odious beast ? Our brethren that in conscience refuses that unprofitable apparrell, does neither damne nor molest you that use sick vaine trifles : If ge fall doe the lyke to them, we doubt not but therein ge fall please God, and comfort the hearts of many whilk are woundit with the extremitie that is usit against these godlie and our belovit brethren. Colour of rhetorick or manly perswasion will we use none, bot charitablie we desyre you to call that sentence of Peter to mynd, Feed the flocke of God whilk is committed to your charge, careing for it not be constraint bot willinglie, not as thogh ge were Lords over Gods heritage, but that ge may be ensamples to the flocke. And farther, also, we desyre you to meditate that sentence of the Apostle, saying, Give none offence neither to the Jewes, nor to the Grecians, nor to the Kirk of God. In what condition of tyme ge and we both travell in

the promoting of Chrysts kingdome, we suppose you not to be ignorant, and therfor we are more bold to exhort you to walke more circumspectly, then that for sick vanities the godly sould be troubled; for all things that may seime lawfull edifie not. If the comandment of the autoritie urge the conscience of you and of our brethren farther than they can beare, we unfainedly crave of you, that ye remember ye are callit the light of the world, and the salt of the earth. All civill auctoritie hes not the light of God alwayes shyning befor the evis in there statutes and comandments; bot there affectiouns favour over meikle of the earth and of worldlie wisdom, and therefore we thinke ye sould boldly oppone yourselves to all that power that will or darre extoll itself, not only agains God, but also agains all sick as darre burdein the consciences of the faithful, farther then God hes burdeinit them be his awin word. Bot heirin we may confesse our offence, in that we have entrit farther in reasoning then we purposed and promised at the beginning; and therfor we shortlie returne to our former humble supplicatioun, whilk is, that our brethren who among you refuse the Romish ragges, may find of you, the Prelates, sick favour as our Heid and Master comands every ane of his members to shaw to another; whilk we looke to receive of your gentlenes, not only for that ye feare to offend Gods Majestie, in troubling of your brethren for sick vaine trifles, but also because ye will not refuse the humble requiest of us, your brethren and fellow preachers, in whom albeit there appeir not great worldlie pompe, yet we suppose that ye will not so farre despyse us, bot that ye will esteime us to be of the number of them that fights agains that Roman Antichryst, and travell that the kingdom of Jesus Chryst may be universallie advanceit. The days are ill; iniquitie abounds; christian charity alas is waxen cold; and therfor we ought the more diligentlie to watch, for the houre is uncertaine when the Lord Jesus shall appeir, befor whom ye, your brethren, and we, must give account of our administratioun. And this in conclusion, we anes againe crave favours to our brethren, whilk grantit, ye in the Lord shall command us things of double more importance. The Lord Jesus rule your hearts in true feare to the end, and give to you and us victorie over that conjured enemye of all true religion, to witt over that Roman antichryst, whose woundit head Satan preases by all means to cure againe. Bot to destructioun shall he and his maintainers goe, by the power of the Lord Jesus: To whose mightie protectioun we heartlie comit you.

From Edinburgh, out of our Generall Affemblic, and 3 fessioun therof, the 27 of December 1566.

Your loving brethren and preachers in Chryft Jesus,

[JOHNE CRAIG.

JOHN ROW.

JAMES MELVILL.

DAVID LINDSAY.

ROBERT PONT.

JOHN ARESKINE.

WILLIAM CHRISTESON.

JOHN WINRHAME.

NICOL SPITTLE.

JOHN SPOTSWOOD. C.]

Ordaines ane humble supplicatioun to be made to the Lords of Secreit Counsell, anent the comission of jurifdictioun supponit grantit to the Bifchop of St Androes, to the effect that ther honours stay the fame, in respect that these causes for the maist pairt judgeit be his usurpit authoritie pertaines to the true kirk; and howbeit that for hope of good things the Kirk oversaw the Queens Majesties comissioun givin therintill to sick men, who for the most part was our brethren, get can the Kirk no wayes be content that the Bifchop of St Androes, ane comoun enemy to Chryft, to use that jurifdictioun; and als in respect of that colourit comissioun, he might usurpe againe his auld usurpit auctoritie, and the samein might be the meane to oppresse the hail kirk be his corrupt judgement.

The tenour of the said supplicatioun followes.

The Generall Affemblic of the Kirk of Scotland conveyit at Edinburgh the xxv of December 1566, To the nobilitie of this realme that profesles the Lord Jesus with them, and hes renouneit that Roman antichryft, desyre constancie in faith and the spirit of righteous judgement.

Seing that Satan, be all our negligence, Right Honourable, hes so farre prevailit within this realme within these late dayes that we do stand in extreame danger, not only to lose our temporal possessiouns, but also to be depryvit of the glorious evangell of Jesus Chryft, and soe we and our posteritie to be left in damnable darknes; We could no longer contane ourselves, nor keep silence, least in so doing we might be accuseit as guiltie of the blood of sick as fall perilh for lake of admonishment, as the Prophet threatens. We therfor in the feare of our God, and with greife and anguish of heart, complaines unto your honours, sea we must complaine unto God,

and all his obedient creatures, that that conjured enemy of Jesus Christ, and cruel murderer of our brethren most false tylic Archbishop of St Andros, is reponit and restoreit, be signatur past, to his former tiranie; for not only are his ancient jurisdictiones (as they are termit) of the hail bischoprick of St Andros grantit unto him, but also the execution of judgement, confirmation of testaments, and donation of his benefices, as more ample in his signatur is exprest. If this be not to cure the head of that venomous beast, whilk once within this realme, be the potent hand of God, was so banished and brockin downe, and be curing it wold not hurt the faithfull, judge ze. His ancient jurisdiction was, that he with certaine his colleagues collaterals, might have dampnit of heresie as it pleasit him, and then to take all that were suspect of heresie. What they have judged to be heresie heirtofor ze cannot be ignorant; and whither they remaine in ther former malice or not, ther plots and travells oppinly declares. The danger may be fearit, say ze, but quhat remedy? It is easie and at hand, Right Honorable, if ze will not betray the cause of God and leave your brethren, whilks never will be more subiect unto that usurped tyranie then they will unto the devil himselfe. Our Queine belyke is not well informit; scho aucht not, nor may not justly break the lawes; and so consequentlie, scho may not sett up against us, nor without our consent, that Romane Antichrist againe: For in ane lawfull and most frie parliament that ever was in this realme before, was that odious beast depyvit of jurisdiction, office and auctoritie within this realme. Her Majestie at her first arrivall, and be diverse her proclamations sensyne hes expressly forbiddin all other forme and fact of religion, but that whilk scho fand publickly established at her arriveal; therfor scho may not bring us, the greatest part of the subjects of this realme, back again to bondage, till that als lawfull and als frie ane Parliament as justly damned that Antichrist and his usurped tyranie, have given decisioun betwixt us and him. Heirof and of uther things that no lesse concernes your selves then us, ze plainly and boldly admonish our soveraigne, and without tumult only crave justice. The tyrants darre no more be sein in lawfull judgment nor darre the howlets in the day light. Weigh this matter as it is, and ze shall find it more weighty then to many it appears. Farther at this present we complain not, bot humbly craves of your Honours ane reasonable answer quhat ze will do, incase that sick tyrants, and invadeing wolves, be givin to devore the flocke of Jesus Christ within this realme, under quhat title that ever it be; for this we boldly confesse, that we will never acknow-

ledge, neither pastors to our souls, nor yet judges to our cause. And if that, for denyall therof, we either suffer either in bodie or goods, we doubt not but we have not only a judge to punish them that unjustlie trouble us, but also an advocat and strong champioun in heavin, to recompence them who for his namesake suffer persecutioun: Whose holie spirit rule your hearts in his true feare to the end. Your Lordships answer we againe crave. Given in the Generall Assemblie and thrid Sessioun therof, at Edinburgh the 27 of December, 1566.

[The Assemblie appointed the bishops of Galloway and Orkney, the Justice-Clerk, and David Forrest, Mr John Row, David Lindsay, Robert Pont, William Christeson, to reconsider and revise the answer made be Mr William Ramsay, one of the masters of Sanct Salvators colledge, to Henrie Bullingers book anent abulgiements of preachers in England.

The Assemblie being advised with the interpretation of the Confession of the kirk of Zurich, be Mr Robert Pont, ordained the same to be printed, together with an epistle sent be the Assemblie of the Kirk of Scotland, approving the same, providing a note be put in the margin, where mention is made of the remembrance of some holy days.

This confession was penned be the pastors of Zurich, and is otherwise called the latter Confession of Helvetia: It is allowed and subscribed, not only be the Tigurins themselves and their confederates of Berne, be Schaphausen, Sangallia, Rhetia, Millan, and Viemid, but also Geneva, Savoy, Polonia, and Hungaria. In this confession, superioritie of ministers above ministers is called ane humane appointment; confirmation is judged to be a device of man, which the kirk may want without damage; baptism by women or midwives condemned: Item, prolix and tedious publict prayers hindering the preaching of the word; canonical Hours, that is, prayers to be chanted and often repeated at sett times, as the popish manner is; heaping up of ceremonies in the kirk, to the prejudice of Christian libertie; observacion of saints days: But this Assemblie would not allow the days dedicat to Christ, the circumcicion, nativitie, passion, resurrection, ascension and pentecost days, but took exception against that part of the Confession.

The bishops of Galloway and Orkney, the Justice Clerk, Mr Robert Pont, David Lindsay, William Christeson of Dundie, George Lesley of Stramigloe, William Ramsay and David Forrest were appointed to receive and decide questiouns, and report their decicions. C.]

Questiouns and ther Anfuers.

Ane certaine maried man past to the wares of Denmark about four zeirs fyne ; his wyfe hes joynit her felfe within this twa zeir to ane uther man in whooredome ; now they desyre to be maried, because they have the attestation of twa unsuspectit witnesses, wha spake with Captaine Clark that her husband was flaine in the Castell of Barronburgh in Denmark, upon Pasch day bygane ane zeir. Queritur, Whither if the parties may be joynit in lawfull mariage or not ?

Ordaines the names of the man and woman to be givin up to the fesshoun of the kirk wher they dwell, to be accusit criminallie for ther offences, givin in tyme of her husbands lyfe, or befor the knowledge of his death, scho joynit her bodie to the uther man, that they both may be punisshit accordinglye.

Ane man forwarnit that he might not marie his father brothers daughter, past in contempt of the kirk, and was maried in the Chappell Royall December 1566. Queritur, What ordour salbe tane therwith ?

Ordaines, To delate the proces to the Justice Clerk and kirk, and declare ther names to the effect they may be punisshit.

And farther, because diverse persons, alsweill women as men, who are separate for adultery, the partie offendand joynes themselves in mariage againe, contrair to the law of God, wherthrow great flanders and inconvenients followes.

Ordaines the superintendents to admonissh all ministers within ther jurisdictiones, that none joyne any partie separatit for adulterie in mariage, under paine of removeing from the ministrie.

[It was asked, What order should be taken with such as have communicated at the Lords table, and afterwards became witnesses at the baptism of children baptized by a papistical priest in a private place ? It was answered, After admonition, let the censures of the kirk be used. C.]

Sess. 4^{ta} 28 Dec. 1566.

Anent bischops, abbots, pryors, and uthers persons benefices being of the kirk, who receives teinds and awaites not upon the feiding of the flocke comittit to ther cure, neither presents themselves to the General Assemblic.

Ordains all fuperintendents to fumound and warne all bifchops, abbots, &c. that receives teyndis within ther jurifdictiouns, and wher no fuperintendents are, that the fuperintendent neireft fend his lettres to the minifters nixt adjacent therto, to fumound the foirfaids perfons to compeir at the nixt Generall Affemblic, to give ther affiftance and counfell to the faid Affemblic in fick things as appertaines to Chriflian religion and preaching of the true word, and farther to know the ordinances of the kirk to be made theranent, &c.

[The fuperintendent of Angus defired to be exonered of his burdenfome calling, in refpect of the weaknefs and debilitie of his bodie, wherby he was unable to execute that charge as was required; but the Affemblic wold not altogether exoner him, but permitted him to appoint fome of the beft qualified within his bounds, to vifit when he found himfelf unable. C.]

A. D. M.D.LXVII.

THE Generall Affemblic of the Kirk conveyit at Edinburgh, in the Nether Tolbuith therof, the 25 day of Junij 1567. In the quhilk were present the Erles, Lords, Barrons, Superintendents, Ministers, and Comiffioners of Townes. The invocatioun of the name of God was made be Mr John Craig, Minister of Edinburgh.

Seff. 1^a 25 Junij 1567.

For eschewing of confusioun in reafoning, the whole Affemblic present conveyit nameit Mr George Buchanan, principall of St Leonards Colledge, moderator dureing this conventioun, who accepted the charge hac vice.

The kirk appointit the Lairds of Dun and Bargany to passe to the Lords of Secreit Counfell, and to requiest ther Lordships to conveye and concurre with the kirk presentlie affemblit, for heiring of sick articles as falbe thought good for the establisshing of Gods word, the true religioun, and supporting of the ministrie within this realme.

[Some were appointed to decide questions which were to be proponed, and to revise the order of excommunication penned be Mr Knox, and to report their judgement to the Affemblic. C.]

Seff. 2^a 26 Junij 1567.

Forfameikle as it is thocht good be all the brethren presentlie conveyit, that ane Affemblic Generall be appointit to conveye againe the 20 day of July nixt to come, in this towne of Edinburgh, for the setting forward sick things as fall at that tyme be proponit; and for that purpose ordaines to wryte missives to all and fundrie erles, lords, barrons, and uthers brethren, requyreing them to conveye the said xx day of Julij, and to that effect appointit also comiffioners to present the said missives, and requyre according to ther commiffiouns.

Tenour of the saids lettres missive, sent to the saids erles, lords, barrons, comendators of abbayes, followeth :

My Lord, (or Worshipful Sir,) after our maist heartlie commendatioun of service in the Lord Jesus: Having now of lang time travellit both in public and private with all the Estates, continually craveing of your Honours in special, that the course of the Evangell of Salvation, now once of the liberal mercie of God restorit to this realme, might continue to all your comforts, and your posteritie; and that for the maintenance and furthering thereof, ane perfyte policie and full libertie might be grantit to this reformat Kirk within Scotland, the ministrie, the pure and sailzeit provydit for sufficiently, as God and all good police and civil lawes ordaines and requyres; and that all superstition and idolatry, and the monuments therof, might be utterly removit and banisheit out of this realme, quhilk God of his infinite mercy hes so lovingly and willingly callit from darknes to light. This matter indeed was lyked of all men; but sick impediment gave the enemy of the Kirk in his members to stay the good worke of God, that moyen could there none be had, but he the contrair, at every light occasion, the ministrie frustrat of all lyfe and sustentatioun; the lamit and impotent members of Chryst lying in the street as dung, perishing for hunger and cold, sea and the whole flock of Jesus Chryst within this realme continuallie threatnit with the execution of that most cruell decreit of the last counsell of Trent, wherin was determinit and decreit to make ane sacrifice of the whole professors within all Europe, be the tyranny of that Roman Antichryst. We are not ignorant how farre the samein was attemptit be way of deid within the realme of France, how farre now in Flanders and the parts neir adjacent therto; and also quhat practising to that effect hes bein continually thir thrie geirs by past, and even now of late dayes, within our awin bowells, be our commoun conspired enemies, alswell within as without this realme, how they were bent to ther enterprize, if God had not of his meere mercie preveined beyond all our knowledge and expectatioun, ther cruel and craftie practises. Upon the quhilk consideratioun, the Assambleie at this present convention of the Kirk, accustomed at the course of tyme occureand, hes thought it needfull to repaire the decay and ruine of that Kirk so vertueously begun amongst us be ane univerrall concurrence and consent of the hail professors of Chryst Jesus within this realme, and be the same meanes to meet the forsaide dangers hingand over our heids, pro-

ceiding from the craft of our implacabill enemies, alswell within as without the same; and to that effect hes ordainit ane Generall Assemblie of the hail professors of all estates and degries within the kirks of Scotland, to be haldin heir within this towne of Edinburgh, upon the xx day of this nixt moneth of Julij, quherby ane perpetuall ordour may be takin for the libertie of the Kirk of God, sustentatioun of the ministers and failzeit members therof, and that ane sure union and conjunctioun may be had amongst the hail members for the libertie of Gods Kirk, quherby we may be able to withstand the rage and violence of the forsaids enemies. And because it hes pleased the goodnes of God so to move your Lordships heart, that ge are a notable instrument and member of his Kirk, as our hope is, so fall our prayer be, that ge may continue increasng from vertue to vertue unto life everlastng, we thocht it our duetie, in name of our hail brethren heir conveynit, to notifie to your Lordship the foirsaid appointment of the said Assemblie, and in the name of the Eternal our God, to recomend to your care and sollicitude the building of this ruinous house of God within this realme: Requyreng also in his name, that ge will give your personal presence, your labours and concurrencis to that effect, as in the forsaid Assemblie to be haldin the said day, that the hail body may be comforted be the presence and good advyce of so notour ane member therof. And because we doubt nothing but your Lordship falbe present, shewing so long experience of your good part in all tymes past, we cease to trouble you with longer letter, referring the rest to be declarit be our brethren the comissioners of the Kirk, who to this effect are direct to your Lordship, and uthers our brethren in these partis; and we for our part, with earnest prayer to God, fall pray to augment in you his love and feare, and bleffe your Lordship to the comfort of his Kirk, Amen. From Edinburgh, the 26 of Junij 1567.

We your Lordships to command with service in Chryft Jesus, in
name of the rest of our brethren,

JOHN KNOX.

JOHN ERSKINE OF DUN.

JOHN ROW.

JOHN SPOTISWOOD.

JOHN CRAIG.

JOHN DOWGLAS.

The names of the persons to whom this letter was directit, are the Erles Huntlie, Argyle, Cassills, Rothes, Crawford, Menteith and Glencarne,

Lords Boyd, Drummound, Sanchar, Herreis, Cathcart, Yester, Mr. of Grahame, Fleming, Levingftoun, Forbes, Salton, Glames, Ogilvie, Mr. of Sinclair, Gray, Oliphant, Methven, Inermeath, Mr. of Somervell, Barrons, Lochinvar, Gairles, Sherriff of Air, Glenurquhair, Sir James Hamiltoun, Bonytoun, Comendators, Arbroith, Kilwinning, Dumfermeling, St. Colmes, Newbottle, Halyruidhouse.

The Superintendents and Quarters of countreyes were ordained to direct this letter to the foirfaids perfons severallie.

Tennour of the Commiffiouns givin to every ane of the foirlaids
Commiffioners, within every ane of ther bounds respectie,
followes :

Forfameikle as Satan this long tyme in his members hes fo rageit and perturbit the good successe and proceeding of Chryfts religioun within this realme, be craftie meanes and subtill conspiracies, that the same from tyme to tyme doeth decay, in hazard altogether to be subvertit, unlesse God of his mercie find hastie remeid, and that cheiflie through the extreame povertie of the ministers who fould preach the word of lyfe to the peiple, who therthrow are compellit, some to leave the vocation alluterlie, and some uthers so abstractit be carefull povertie, that they may not infist so diligently in the exercife of the word as they wold doe; and therfor the kirk presentlie conveynit at Edinburgh in this Generall Assemblie, hes thought it most necessar be thir presents to requeist and admonifch most brotherlie all sick perfons as truely professes the Lord Jesus within this realme, of what estate or degrie thatevir they be, asweill the nobilitie, barrones and gentlemen, as all uthers true professours, to conveyne in Edinburgh the 20 day of Julij nixt, in ther personall prefence, ther to assist with the counsell and power, for ordour to be tane asweill toward the establishing of Chryfts religioun universallie throughout this hail realme, and abolifhing of the contrair, whilk is papistrie, as the sustentation of the ministers, not only for the present tyme and instant necessitie, but also for ane perfyte ordour to be tane and established in all tyme comeing, toward the hail libertie of the patrimonie of the kirk, and the due restoring of the same to the just professours therof, according to the word of God: With certification to all and fundrie, of what estate and degrie so evir they be that compeirs not, due advertisement being made, that they falbe repute

heirafter as hinderers of this godlie purpose, and as diffimulat brethren, unworthie to be esteimit heirafter of Chryfts flocke, feing God of his mercie at this present hes offerit some better occasioun nor in tymes bygane, and hes begun to tred downe Satan underfoote. And for the dew requiritioun and admonitioun, in name of the eternall God, to the effect foirsaid, to all and fundrie the brethren, alsweill to brugh as to land, the kirk presentlie conveyit in this Generall Affemblie, be thir presents gives ther full power and commissioun to ther lovites N. and N. for the bounds of N. In verificatioun heirof thir presents are subscryvit be the comoun clerk of the kirk, in the said Generall Affemblie, and 2 Sess. therof, haldin at Edinburgh, the 26th day of Junii 1567.

Sess. 3^a 27 Junij 1567.

[Mr John Row, minister of Sanct Johnstone, was ordained to attend upon the printing of the commissioun direct be the Kirk, for presenting of the forsaids missives, and to bring so many as shall be necessarie to be sent, to be subscribed be the clerk of the Affemblie, and the names of the commissiouners to be insert accordingly. And in like manner ordained Mr John Wood to cause write so many missives as shall be needfull, to be sent to the earles, lords, and barrons, and other brethren, and to return the said missives to be subscribed and directed.

Mr John Davidfone and Mr David Wemes, ministers of Hammiltoun and Glasgou, were ordained to pass to Lanerk, and there to convene the balgies and counsellours of the said town, and to require them to assist John Leverance minister, and to punish manifest offences, maintain Christian religion within that town, and to support the said minister with things necessary for his sustentation; and if they deny to doe the said premisses, then the forsaid ministers to give to the said John Leverance their testimoniall of simple demission from the said kirk of Lanerk, and libertie to be placed whersoever it shall please God to call him.

Mr John Row, Mr John Douglas rector, Mr John Craig, William Christeson minister at Dundie, Mr Robert Hamiltoun minister at Irving, Mr Robert Hamiltoun minister at Sanct Andrews, Mr James Melvill minister at Tannades, appointed in the first session to decide questions, report their decisions at this session. C.]

Questions and ther Anfuers.

Ane man being accufeit of notorious fornication, promifeit faithfullie to the minifter for the tyme to abftaine in all tymes comeing from all focietie of that woman, and in cace he chancit to have any deale with her heirafter, he fould marie her ; therafter he medlit with the fame woman. Queritur, Quhether this man may be compellit to keip the foirfaid promife of mariage or not ?

The kirk dicernes all fick promifes to be of none effect, and that none be compellit to marie upon fick promifes ; and ordaines this offender to be punifhed for his offence.

Quhether if it be lawfull to marie her quhom he befor, in his wyfes tyme, had pollutit with adulterie, his wyfe now being dead. The kirk will not grant that thing to be lawfull quhilk Gods law damnes, neither yet admitt any fick mariages, for caufes conteinit in the law.

Ane man being divorceit for adulterie, queritur, Quhether he may marie again lawfullie or not? The kirk will not refolve heirin fchortlie, bot presentlie inhibites all minifters to meddle with any fick mariages, quhill full decifion of the queftion.

Seff. 4^{ta}. 28 Junij 1567.

Anent ane complaint given in be the brethren of the kirk of Machlen, that quher they had, be the juft law of God, pronouncit the fentence of excommunication againft Johne Spottifwood of Foullar, fome tymes ane elder of the faid kirk, for the horrible cryme of adulterie committed be him : Nottheles, Sir William Hamilton of Sanquhar knight, now an elder of the faid kirk, plainly mantaineth the faid John in his houfe, notwithstanding and the faid John is excommunicat, to the greater flander and offence of God and his law. And albeit the faid Sir William hes bein diverfe tymes admonifhed to withdraw his familiar companie fra the faid John, zet will not abstract the fame, to the offence of many ; requyreing the kirk presentlie affemblit to take ordour heirin according to the wifdome of the brethren present, that farther flander ryfe not therthrow.

The kirk ordaines ane letter to be fent to the faid Sir William, requyreing him to remove the faid John Spottifwood out of his companie, and the

fame to be subfcrived be the fcrbye of the Affemblic; the tenour wherof followeth.

Right Worſhipfull, &c. Forſameikle as we are informit be the miniſter and ane part of the elders of the kirk of Machleine, that ane called John Spotifwood, fometye ane elder of the ſaid kirk, for the adulteries committed be him in the tyme he was ane elder, and the ſame beeand ſufficientlie provin, hes bein and is excommunicat: Nottheles ze now being ane elder of the ſaid kirk, contrair to zour charge and vocation, mantaines and keips in zour companie the ſaid Johne, notwithstanding diuerſe admonitions made to zow to put him therfra, to the great contempt of Gods ordinance, and flander of the kirk of Jeſus Chryſt; quhilk we lookit not for at zour hands, being placeit in ſo honorable ane rowme within his kirk. Heirfor this is moſt heartlie to requyre zow, in the name of the eternall God, and as ze look to reigne with his Sonne Jeſus Chryſt for evir, to remove from you all manner of flander, and be not partaker of uther mens fins, bot remove from zour ſocietie that wicked perſon, who being abhorreit be the faithfull, may be Gods grace repent his impietie, and returne to that companie of the faithfull, fra the whilk be his haynous offence he hes ſo horriblie fallin; in the quhilk doing ze fall not onlie pleaſe God, but alſo have praife of us zour brethren: Utherwayes we may not with ſafe conſcience ſuffer ſick mantaining of manifelt wickedneſs, but muſt oppone ourſelves therunto, and uſe the cenſures of the kirk alſweill againſt the mantainer as the committer of manifelt crymes. Thus wiſhing unto zou the ſpirit of righteous judgement, comitts zou to the protectioun of the Omnipotent. From Edinburgh, out of our Generall Affemblic, and 4th Seſſioun thereof, the 28 of Junij 1567.

The haill kirk thocht good that ane publick faſt ſould be proclaimed in the towne of Edinburgh only, to begin on Sunday the 13 of Julij nixt, and on Sunday the 20 of the ſame. And ſo was the Affemblic diſſolvit, and appointit the 20 day of Julij nixt to come into the towne of Edinburgh.

A. D. M.D.LXVII.

THE Generall Affemblie of the Kirk of Scotland, conveinit at Edinburgh, in the Over Tolbuith of the fame, the 21 of July 1567. In the quhilk were affemblit Erles, Lords, Barrons, whose names are wryten after the articles be them fubfcryvit, with the Superintendents, Ministers, and Commiffioners of townes. Thanks was givin to God be Mr John Craig Minifter of Edinburgh.

[Mr John Row Minifter at St Johnfton, was chofen Moderator.

It was ordained, That the brethren of every fhire fhould chufe fome out of their number, and the minifters likewife chufe fo many from among themfelves, to reafon and confer upon the affairs of the Kirk, and to form articles in writ, and present the fame to the Affemblie, to be confidered. C.]

Seff. 2^{da}. 22 Julij 1567.

[The Commiffioners appointit to deliver their miffives to the Earles, Lords, Barrons, and other brethren nominat, exhibited their Rolls. The Earle of Argile his letter, excufing his abfence, alledged, that the brethren already affembled in Edinburgh were in armes, and fo far as he underftood, the reft were to come likewife in the fame manner, and he not being privie to ther proceedings, nor having get joined himfelf to them, therfor he could not at this time be present: In the mean time defireth, that no innovations be attempted till the meeting of the other brethren; fo much the rather, becaufe their adverfaries would not allow of their doings; promifeth in the mean time to continue in the maintainance of true religion.

The Commendator of Arbroth alledged the like reafons for his abfence. C.]

Tenour of the Lettres of Excufation of the Erle of Argyle, of his abfence fra this Affemblie, followeth :

After our moft heartlie commendatiouns; we have receavit your wrytings, understandand be the fame your earneft travells and godlie zeale in erecting of this our Kirk within Scotland, according to our dewties and your Affemblie to this effect, quherunto ge have defyreit us; get fomething having in admiratioun, that ge fould have affignit your Affemblie, quherunto ge defyre the principall members of the hail Kirk, without their awin advyfe and univerfall confent, having concurrit with them of befor, allweil anent the places of Affemblie, as in matters to be treated in the fame; be reason the brethren els affemblit in Edinburgh ar in armes, and as we underftand the reft that are to come ther comes in the lyke manner, quhilk is farre by the ufe and accuftomit manner and fafhion that we have fein of befor; and as it is not unknowin unto you quhat varietie is prefentlie in this realme, get not doubting their intents and myndes to be only directit as ge have afoir fhawin; nottheles, becaufe our brethren els affemblit in Edinburgh are in armes accompanied with men of warre, we not being participant with ther proceeding, neither get hes adjoynit ourfelves therintill, cannot at this tyme be prefent in the places appointit, according to your defyre; get affuring you, lykeas in tymes paff we have not only beftowed our goods in the maintainance of Gods caufe, but alfo hes hazard our life and freinds in the fame fute, we mynd ftill to continue; and fen the impediment of our conveying, albeit willing to all godlie proceedinges, is for the cafes after fpecifiet, in the mean time we will earneftlie requeift you, that no innovatiouns or alteratiouns be made or attempted quhill our meeting, quhilk we trust to God falbe fhortlie; fo that nane of our brethren, nor we in abfence, have occafion to mislyke any of your proceedinges, becaufe fick grave matters requyres ane comoun confent, allweill in ther approving, as that they may be the better borne out; for your awin wifdomes, we doubt not, will confider the factiouns of our adverfares, that they will never allow our doings; and therfor it is more than neceffar there be no diverfitie of myndes amangft ourfelves; gea we will find all matters frame the better if we be all prefent when they are concludit. So not willing to impeafche you with farder lettre, hes committed farther of our mynd to this bearer, your fervitour, to whom pleafe give credit: And fwa comitts you to God. Of But, the 28 day of Julij 1567.

Yours, affurit in the Lord,

AR. ARGYLL.

The tenour of the commendators of Arbroth, Killwinning, and my Lord Boyds excusatioun, aggrieing in all points as followes.

After most heartlie comendatiounes in the Lord Jesus; we have receivit your wryteing daittit at Edinburgh the 26 day of Junij, shawand in effect, albeit God of his goodnes hes send the light of the evangell of salvation within this realme to the great confort and prosperitie of all the faithfull within this realme and ther posteritie; zet nevertheles Satan with his ministers, at every light occasioun, hath frustrat in tymes by past the ministers of ther life and sustentatioun, the lame and impotent members of Chryst asweill frustrate of ther livings, dieing in the streits for hunger and cold, and the haille flock of Chryst Jesus within this realme continuallie threatened to be made sacrifice of, be the practife of the enemies, as your wryting conteinis at lenth; for in meiting of the quhilk, and provideing of remeid therto, ze desyre us to be in Edinburgh the 20 day of this instant, at the Assembly of the Kirk, quherby ane perpetuall ordour may be takin for the libertie of the kirk of God, the sustentatioun of the ministrie and failzeit members therof, so that the haille members of the kirk might, be sure unioun and conjunctioun, be more able to gainstand the violence of the foirsaid enemies. For answer, it is not unknowin unto you, how the nobilitie of this realme are devydit, be reason of the Queens Majesties haldin quher scho is; and that the towne of Edinburgh, quher ze desyre us to conveye, is keipit straitlie be one part of the nobilitie and men of warre of their retinew, to quhose opinioun we are not adjoynit as zet, and therfor we cannot thinke ourselves sure to conveye the said day and place ze desyre us to keip, and els thinks marvell the haille multitude of Protestants within this realme fould have been desyreit to have conveyit in sikk a place, the matter standand as it does. Nevertheles we for our awin pairt falbe weill willing at all tymes to sett forward the light of Christs evangell to be truely preachit, and the ministers thereof to be sustainit, and the furth setting of the policie concerning the kirk in all forts, so farre as it may stand be ane law, lykeas we have bein in all tymes by past, sen it pleased God to opin our eyes and shew the light of his blessed word: And thus will cumber you with no langer letter, bot prayes God to have you in his eternall protectioun. Of Hamilton 29 of Julij 1567.

Your loving freind at power, in all godlines,
Arbrothe.

Aberdeine Excufatioun.

Right Honourable and welbelovit Brethren: After our heartlie commendatioun in the Lord Jefus, this prefent is to advertife you that we have receivit your letter, and at the requifition of our minifter and proveft having commiffion therto, hes fightit, fein, and confidderit your wryting and act of the Generall Affembly, in the quhilk is containit the great labours tane be Satan and his members, makand impediment to the proceedings of the evangell and fourth fetting of the glorie of God, fuffentatioun of the miniftrie, the poore and neidie, and the contrair now to be provydit be the Affembly Generall of the Chrifian kirk of this realme, now to be conveyit be the xx day of Julij instant; craveing of us our concurrence to the effect forfaid, together with our perfonall prefence. It fall please your wifdomes to underftand, and moft affuredlie to beleive us profeffours of the evangell within the burgh of Aberdeine, to be of ane mynd, and be the grace of God to continue to the mantenance of the furthfetting of the glorie of God, teaching of the true evangell, and fuffentatioun of the minifters, with help unto the poore; and unto the tyme your wifdomes with the nobilitie find ane ordour univerfall for the miniftrie, we fall for our awin pairt, God willing, fuffaine our minifter, fa that of reafon he fall have no caufe of plaint, and to the poore, according to our power, doe femblable as uthers burrowes fall take ordour; and as to our perfonall prefence to conveye at this tyme, hes givin and fend our minifter, Adam Herriott, to concurre and affift in our name to the effect foirfaid, and to declare unto your wifdomes the impediment of our perfonall prefence at this tyme; craveing your wifdomes, notwithstanding of our abfence, to credit us faithfullie to abyde at your decree, to be fett out be you and the Affembly to the effect foirfaid, and to mantaine the fame with our bodies and goods as tyme fall requyre. And farther having no occafion for the prefent to wryte, comitts you to the protection of the Higheft. Wrytin the 12 of this instant Julij, and fubfcribit with our provefts hand, at our command at Aberdein, be them that are your affurit.

Thomas Meingies.

[The Affembly appointed fome brethren to conveye in Mr James Macgills houfe, to vifite and advife upon the affignations made latelie be the Queen to the minifters, and of the payment thereof. C.]

Seff. 3^a 23 Julij 1567.

Certaine brethren was appointit to conveine to fie and advyse upon the assignatioun of the stipends of the ministrie latelie assignit be the Queens Majestie the good payment, who fand in effect as followes.

We have sein the assignatiouns within the schirefdomes of Kincardin, Forfare, Perth, and Fyfe, and finds that all the heale conteinit therin, at least for the most part, hes bein thankfullie payit, and that the collectour hes givin his charges for payment therof dewlie, and rests nothing but to put them to the horne; that ther be lettres directit and commissioun givin in the saids lettres, with consent of the thesaurer, to collect and uptake the haill fruits of the benefices of so many as passe to the horne for the lxvi geir, and sicklyke for the lxvii geir instant, so long as they remaine at the horne, and to make count of the thrid to the ministrie, and sa meikle of the twa pairt as they intromett with to the thesaurer as escheitt. And as to the victualls within the forsaid sbyres, we find that long before any lettres raisit upon this assignatioun, and before the baptisme of the Prince, they were sauld be the comptroller; and therfor he man be chargeit in his compts to rander sa meikle of the pryces heirof againe to the ministrie as is containit in this assignatioun. Tuiching the thrids of the ministers assignatioun beyond Die, except Orknay, finds be the collectour, that the lxvi geirs crope is not unfit to be payit whill Lammes in the lxvii geir and after; and for executioun givin to him within the bounds, fall passe with possible diligence, and charge that haill bounds according to the lettres, of the quhilks he suppones good payment as hes bein of befoir, except the bishoprick of Caithnes, quhilk the collectour alledges the bischop payes to his ministers of his awin kirks, conforme to the booke and compts made of befoir.

Item, Deare, Dunet and Pillorth are givin frie to the Erle of Marchell and freirs of Aberdein, and Captaine Lauders; bot it is understand that all the gifts are revockit, and therfor the collectour is to charge them.

Item, that victualls within the same bounds are sauld ut supra; and therfor the comptroller in his comptis fall rander conforme to the 1 Article.

Item: be south Forth nothing gotten in; bot the collectour alledges that Duncane Livingstoun hes tane up ij^c xxxvij ii. ij s. ij d. as he hes

grantit be the particular reffaitt, and therfor he man be chargit to delyvor the same to the said collector.

Item, of the thrids that is conteinit within this collectorie, that is alledgit discharged. The thrid of the Abbay of Cambuskineth to iij^c xxxij fi. ij s. 8 d. iij chalder beir, and iij chalder meill.

The thrids of [Inchmahomo] lv fi. 6 s. 8 d. ij chalders beir, iij chalders meill.

The thrids of Drybrugh, iij^c iij fi. and 62 pairt boll wheat, viij chalders, 2 bolls, 2 pairt boll beir, vij chalders, x bolls, 2 pairt boll meill.

The thrids of Melrose, Haddingtowne and Northberwick; the thrid of Kelfo and Coldinghame.

As to Dumfrieis, Annandail, Kirkudbright and Wigtown, the Bischop of Galloway hes deput certaine collectors for satisfiactioun of the ministrie within the same.

Item, within Kyle, Carrick, Cunninghame, executiouns past, and belevis to have payment at the nixt ganging in the countrey. Item, Corsraguell is givin frie, and the minister of Failfuird is ill payit.

Memorandum. That the Act be raifit made be the Queens Grace and Secretit Counsell, dischargeand the gifts and taks of all the thrids; and that nane sould be givin heirafter without advyfe of the Secretit Counsell, to the effect the collector may charge notwithstanding any sick gifts.

Remember that ilk collector execute within his bounds, that lettres be directit with consent of the thesaurer according to the first Article.

[Sess. 4th 24 Julij 1567.

It was thought expedient that the portions assigned to the ministers for 1566 years be distributed be the collectors already appointed, and that they distribute the same, according to their rolls to be given be the superintendents and commissioners which are to be appointed in this Assemblie where there are no superintendents, to the said collectors.

The tenor of the Commission which is to be given to the Reviser of the Rolls of Ministers Stipends.

At Edinburgh, the 24 day of Julij 1567. The whole Assemblie in one voice thought meet, anent the assignation of money and victuals be the

Queens Majesty, for the sustentation of the ministry the 1566 years, that the distribution thereof shall be made by the collectors already appointed, according to the tenor of the rolls of appointment of stipends, which the superintendents and commissioners to be appointed shall receive from the keeper of the book of the ministers stipends; and after the said superintendents and commissioners have diligently marked these that are dead, or have not diligently waited on their charges, as they will answer to God and the kirk thereupon, to deliver the rolls to the said collectors, to every one within his own bounds; commending the collectors to pay every minister, exhorter and reader, the third part of that appointed in the rolls for said, the superfluous to be made compt of to the Assemblée.

Sess. 5th 25 Julij 1567.

The articles advised upon and formed be such as were chosen in the first session, were read publicly in presence of the whole nobility and brethren assembled, and were allowed by them all who were present, and subscribed first by the nobility, and after by the barons, superintendents, and commissioners of towns.

It was ordained, that the commissioners appointed in the last Assemblée should every one of them have an authentic copie of the articles, subscribed by the clerk of Assemblée, or Alexander Hay scribe to the Secret Counsell; and that the said commissioners require all and sundry earles, lords, barons and other faithful brethren, who excused themselves for not giving their personall presence to this Assemblée, to subscribe the said articles with the rest of their brethren, according to their promises made by word or by write; with certification to them that refuse, that the kirk hereafter will not repute them as members of their body; and to return the rolls of the said articles, subscribed by the scribe of the Assemblée, to the effect their subscriptions may be set down in the Register with the rest. C.]

Articles.

The noblemen, barons, and others under-subscribed in this present Assemblée of the kirk of God, have agreed and consented to the articles after following, at Edinburgh, 20 July 1567.

In the first, forsameikle as there was ane parliament haldin in this realme before the Queens Majesties arrivall in the same, be the estates conveyit for the tyme, authorized with her Hienes awin power and commissioun, in the quhilk parliament it was concludit, that the religion of Jesus Chryst then univerrallie receivit within this realme, sould be univerrallie establisched and approvit within the same, and all papistrie with the papists usurpit jurisdiction, all idolatrie, and in speciall the blasphemous mess, be abolisched and simpliciter put away, as the Acts made therupon purportis; quhilk Actis, together with the Queens Majesties power to hald the same parliament, the noblemen, barrons, and uthers under-subscryveand, willis to be extractit and put in full executioun as ane publick law, and that the transgressours therof be punishit according to the same, throughout the whole realme without exceptioun. Quhilk parliament, in all things concerning the religioun, they fall defend and mantaine at ther uttermost in the first parliament quhilk salbe haldin, and at all uther tymes and occasiouns convenient.

Item, that the Act already made towards the thrids of the benefices within this realme, principallie for sustentatioun of the ministrie, may be dewlie put to executioun, according to the ordour of the Booke of the appointment of ministers stipends, asweill for them that are to be appointit as for them already placeit, and that the ministers be first dewlie answerit and sufficientlie sustained of the same, to the releife of ther present necessitie, and quhill ane perfyte ordour may be tane and establisched toward the full distributioun of the patrimonie of the kirk according to Gods wórd; and that also the ordinance made be the Queens Majestie and her counsell toward the small benefices, now extending to the valour of thrie hundreth marks, be dewlie put to executioun, alsweill toward the benefices quhilk hes vaikit sen the dait of the said ordinance, as concerning them that fall happin heirafter to vaik; and sikk lyke the act made toward the anualls, obits, and altarages of burrowes.

Item, how soone ane lawfull Parliament may be had, or that the occasioun may utherwayes justlie serve, the nobills, barrons, and uthers of the kirk after subscryveand, fall labour and prease to ther uttermost, that the faithfull kirk of Jesus Chryst profess within this realme, salbe put in full libertie of the patrimonie of the kirk, according to the booke of God, and the ordour and practise of the primitive kirk; and that nothing fall passe in parliament unto the tyme the matters of the kirk foirsaid be first confi-

derit, approvit and establihit; and in the meanetyme the professours underfubfcribeand consents and offers to reform themselves according to the booke of God, quhilk they fall put in practife, and the refusers and contraveiners to be secludit fra the bosome of the kirk. And moreover, in the said nixt Parliament, or utherwayes at the first occasioun, ordour falbe tane for ease of the poore labourers of the ground, toward the payment of there teinds in reasonable maner, and how the same fall not be sett over there heids without ther advyse and consent.

Item, that nane be admittit nor permittit heirafter to have charge over schooles, colledges or univerfities, or zet opinly or publicklye to instruct the youthheid, bot sikk as hes bein tryed be the superintendents and visitors of the kirk, falbe found found and able in doctrine, and admittit be them to ther charges.

Item, that all crymes, vyces, and offencis committit agains Gods law, may be severely punishit according to the word of God; and quher lawes are presentlie appointit for the punishment, and judges also to that effect deput, that the execution be made therupon as effeirs; and quher neither law nor judges are appointit for sikk crymes as are to be punishit be the law of God, that in the first parliament the same judges may be appointit, laws establihit, as God commands in his word.

Item, that sen the horrible murther of the King, the Queens Majesties husband, is so odious not only before God, but also the whole world, be continuall infamie and shame to this haile realme, if the same murther fall not be punishit accordinglye; therfor the noblemen, barrons, and uthers underfubfcribeand fall with all ther forces, strenth and power, concurre and assist to take plaine part together, to further and mantaine the punishment of the said murther on all and quhatfomevir persons that falbe found guiltie of the same, seeing the plague of God fall not depart from the cuntry or towne wher innocent blood is shed, befor the same falbe cleansit be shedding the blood of the offenders.

Item, sen it hes pleasit Almightye God of his mercie to give ane native prince to this cuntry, appeirand to be our soveraigne, to the end he be not cruellie and shamefullie murtherit as his fathier was, the nobilitie, barrons, and uthers underfubfcribeand, fall assist, mantaine and defend the prince against all that wald violently oppresse him or doe him injurie.

Item, that all kings, princes, and magistrates quhilk heirafter in any tyme to come fall happin to beare reigne and rule over this realme, [at] ther

first entres befor they be crownit and inaugurat, fall make ther faithfull league and promise to the true kirk of God, that they fall mantaine and defend, and be all lawfull meanes sett fordward, the true religioun of Jesus Chryft presentlie confessit and establisht within this realme, even as they are obleifchit and astrictit in the law of God, asweill in Deutronomie as in the second chapter of the Booke of the Kings; as they crave obedience of there subiects, so the band and contract to be mutuall and reciproque in all tymes comeing betuixt the prince and God, and also betuixt the prince and faithfull peiple according to the word of God.

Item, that the prince whom God hes givin us, alsweill for his suretie as good educatioun, fall be comittit to wise, ancient, godlie and learned men of the realme, to be brocht up within the same in the feare of God and virtue, wherby he may so profit in his gouth, that when he fall come to his geirs of majoritie, he may be able to discharge himselfe of that honour and place quherto he salbe callit, and prove that good king quhilk with all ther hearts they wisch him to be.

Item, the nobilitie, barrons, and uthers of the kirk underfubscryveand, in the presence of God hes faithfullie promiseit to conveyne themselves, together with ther power and forces, and heir to begin to ruit out, destroy and alluterlie subvert all monuments of idolatrie, and namely, the odious blasphemous messe, and thereafter to goe fordwart throughout this whole realme, to all and fundrie places quhatfumevir idolatrie is fostred, hanted or maintained, and cheiflie quher messe is said, to execute the reformatioun forsaid, without exceptioun of place or persons; and fall to the uttermost of ther power remove all idolaters, and uthers that are not admittit to the ministrie of the kirk, fra all functioun therof, asweill privat as publick, that they hinder not the ministrie any maner of way in ther vocatioun; and in place of the premisses, sett up and establiish the true religioun of Jesus Chryft throughout this hail realme, be planting of superintendents, ministers and uthers neidfull members of the kirk; seeing the host of the Lord fall passe through the whole countrey to this effect, and also fall proceed to the punishment of idolaters, according to the lawes therupon pronouncit, and sick lyke fall punisich and cause be punisichit all uther vyces that presentlie abounds within this realme, quhilk Gods law and the civill law of this realme comands to be punished, and cheiflie the murther of the King laitlie comittit. And in lyke maner promise faithfullie to reforme schooles, colledges, and univerfities throughout the whole realme,

and expell and remove the idolaters that hes charges therof, and uthers quho hes not zet joynit themfelse to the true kirk of Chryft, and plant faithfull instructors in ther rowmes, to the effect that youth be not infectit be poysonable doctrine at the beginning, quhilk afterward cannot be well removeit away.

Followes the subscriptioun of the Erles, Lords, Barrones, and uthers Comiffioners present for the tyme.

Mortoun, Glencairne, Mar, Hume, William Lord Ruthven, Sanchair, Patrick Lord Lindsay, Grahame, Lord Innermaith, Ochiltree, Sir James Balfour, James M'Gill, Tullibardin Comptroller, William Maitland, John Erskine, John Wischart, Glenbervie, John Cunighame of Drumquhaffill, William Kirkadie, John Cathcart of Cariltown, William Moncreiff, Drumlangrick, Bargany, Andro Wood of Largo, Andro Stewart, Robert Fairlie of Braid, Archibald Wood, George Barclay of Mathirs, George Corrie of Kelwood, George Hooime of Spott, Mr William Lundie, Gilbert Kennedy of Dalquharrane, John Melvill of Raith, Quhittinghame, Raffyth, Baro, Pittencreiff, Andro Car in Faudonesyde, Thomas Scott of Harne, Robert Cambell, Henrie Grahame, Johne Fullerton of Dreghorn, Alexander Guthrie of that ilk, William of Craigings, Williame Durhame of Grange, Thomas Dischingtoun, Thomas Scott of Thirlstoun, George Straiton of that ilk, Alexander Creichtoun of Karko, Mr John Wood, Alexander Ogstoun of Fethercarnie, Patrick Kyninmonth, Robert Lindsay, Thesaurer, John Colles, William Meingies, John Mellvill, William Edmeiftoun of Duntreith, Robert Murray, John Schaw, John Stewart of Minto, Gilbert Ogilbie of that ilk, James Chalmer of Gaitgirth; Comiffioners of townes, for Edinburgh, Alexander Clark bailgie, Mr Clement Litle, Mr John Prestoun, Mr Richard Strang; for Air, Paul Reid, Richard Bannatyne, Gilbert M'Millane; for Irwin, Alexander Cuninghame, Alexander comendator of Culros; for Glasgou, Mr David Weymis, James Boyd; for Jedbrucht, William Howburne, Alexander Forrester.

[Names of those that subscribed afterward at the desire of the Commiffioners. William Chirnesyde of Eistnisbet, Kenneth M'Kengie, Robert Monro of Foulis. C.]

A. D. M.D.LXVII.

THE Convention of the Brethren, haldin in Edinburgh the 15 of December 1567 zeirs, befor the Generall Affemblic of the hail Kirk to begin the 25 of the month forsaid.

First, were nominat and chofen for every province certaine brethren to reason and conferre upon sick things as appeirandly sould be necessar for setting forward the affaires of the kirk, without prejudice of the Generall Affemblic and actiouns therof.

xxii Decembris 1567.

Anent the crymes of incest and adulterie, and punishment to be takin theranent in the nixt Generall Affemblic, the brethren presentlie conveyit thinks it necessar that every minister, with the elders and deacons, sall searck out within ther awin bounds at ther sessiouns the foirsaid crymes, if they be notour; therafter to signifie the same to the superintendent of the dyocie at his synodall conventioun; and he therafter to notifie the same to the supreme magistrat, requyreing him to minister justice and punisch sick haynous offences according to the law of God, as he will answer to that Supreme Judge at that day when no respect of persons falbe had: And wher no superintendent is get placed, that the ministers, elders, and deacons, declare the saids crymes to the Generall Affemblic, to the effect forsaid.

A. D. M.D.LXVII.

THE Generall Assemblie of the Kirk conveyit in Edinburgh, in the Nether Tolbuith therof, the 25 of December 1567. In the quhilk were present Erles, Lords, Barrones, Superintendents, Ministers, and Comissioners of Townes and Kirks. The invocatioun of Gods name was made be Mr Johne Craig ane of the Ministers of Edinburgh.

For eschewing of confusioun in reasoning in this present Assemblie, was chosen Mr Johne Row minister of St Johnstoun to be moderator.

[The Superintendent of Fife was complained upon for not visting kirks, nor teaching in kirks subject to his charge, nor taking up crymes and offenses to be punished.

Adam called Bishop of Orkney, Commissioner for Orkney, being absent, was delated for not visting the kirks of his country, but from Lambmes to Hallowmes. Item, That he occupied the room of a judge in the session, the sheep wandering without a pastor. Item, Because he retained in his own companie Sir Francis Bothuell, a papist, to whom he had given benefices, and placed a minister. Item, Because he solemnized the marriage of the Queen and the Earl of Bothuell, which was altogether wicked, and contrair to Gods law and statutes of the kirk.

Alexander called Bishop of Galloway, commissioner, was accused, That he had not visted these three years bygone the kirks within his charge; that he had left off the visting and planting of kirks, and he haunted Court too much, and had now purchased to be one of the Session and Privie Councill, quhich cannot agree with the office of a pastor or bishop; that he had resigned Inchchaffrey in favours of a young child, and set diverse lands in feu, in prejudice of the kirk.

Certain commiffioners were appointed to vifit kirks : Mr John Knox minifter of Edinburgh, was appointed to affift the fuperintendent of Louthian, in his vifitation from Stirling to Berwick, and thereafter to vifit Kyle, Carriſt, and Cuninghame. C.]

Seff. 2^{da}. 26 December 1567.

[Mr John Craig, David Lindſay, George Buchanan Principall of Sanct Leonards Colledge, and Mr George Hay, or any two of them, were appointed to direct their edicts to all minifters, elders, and deacons of kirks, under the Superintendent of Fife his charge, to compear at Couper the 22d day of Januar, with their complaints againſt the ſaid ſuperintendent, to try and report to the nixt Affemblic. C.]

The hail kirk affemblit thocht it meitt, that certaine brethren be appointit to concurre at all tymes with ſick perfons of parliament or ſecret counſell as my Lord Regents Grace hes nominat for ſick affaires as pertaines to the kirk and juriſdictioun therof, and alfo for decifions of queſtions that may occurre in the meane tyme, whoſe names followe : Mrs Johne Knox, Johne Craig, minifters of Edinburgh, the ſuperintendents of Angus and Lowthiane, David Borthwick, Thomas M'Calzean, Mr David Lindefay minifter of Leith, George Hay of Ruthwen, and Johne Row of St Johnſtoun.

[Mr Clement Little, Alexander Sim, and Richard Strang, were appointed Procurators, to defend and purſue all Actions pertaining to the Kirk, before whatſoever Judge or Judges ; Mr George Makeſon was choſen Solicitor, James Nicolſon was Comptroller, keeping the rentalls of the Thirds of Benefices, and Affumptions therof. C.]

Seff. 3^a. 28 Decembris 1567.

[The Lairds of Braid, Whittinghame, and Elphingſtone, Mr Alexander Arbuthnot, John Braid minifter, were joyned to the Brethren nominat in the Second Seſſion, appointed to concur with the Lords of Secret Counſell for decifion of queſtions after the Affembly. C.]

Ordaines that Superintendents and Commiffioners appointit ſhall plant

Minifters vacand in fick rowmis wher the parochiners will gladlie fustaine them on their awin expenſis, whill uther ordour be had ; and that they remove none out of the rowmes, being found qualified, without advyfe and conſent both of the Kirk and Miniſter that is found worthie of the place.

Seſſ. 4^a 30 Decembris 1567.

[Mr Patrick Craigh miniſter of Ratho, for celebrating the marriage of James Lindſay, and a woman whom he had abuſed in fornication, without proclamation of bands or a teſtimonial therof, and upon a ſerial day, contrair to all order eſtabliſhed in the Kirk, and chiefly ane Act made in December 1565, was ſuſpended from his miniſtrie, and lifting up of his ſtipend. C.]

Anent the accuſatioun laid to my Lord Argyles charge, tuitching the ſeparatioun betuixt him and his wyfe, declarit that he was not the occaſioun therof. As to uther offences quhatſoever, quherthrow he hes bein any wayes ſlanderous to the Kirk, he was content to ſubmitt himſelfe to the diſcipline of the Kirk at all tymes moſt willinglie ; and therfor the Kirk ordainit the Superintendent of Argyle to take tryall of the ſaids ſlanders committit be the ſaid Erle, and therafter to cauſe ſick ſatiffaction be made as Gods law appoints, and to report the ordour therof to the nixt Generall Aſſemblic of the Kirk, together with his awin diligence in execution of his office of Superintendencie.

[The Biſhop of Galloway, accuſed for neglect of preaching and overſeeing the kirks within his juridiſtioun theſe three years bygone, and attending upon Court, Seſſion and Secreit Counſell. He granted that he offended in all that was laid to his charge. His Commiſſion continued till the nixt Aſſemblic, with admonition to be diligent in viſitation. C.]

Anent the Mariage of the Queine with the Erle of Bothwell, be Adam callit Biſhop of Orkney, the haill Kirk finds that he tranſgreſt the act of the Kirk in marrying the divorcit adulterer ; and therfor deprivis him fra all functioun of the miniſtrie, conforme to the tenour of the act made therupon, ay and quhill the Kirk be ſatified of the ſlander committit be him.

The ſame day, Mr Johne Craig was bruitit for proclameing the bands betuixt the Queine and the Erle Bothwell ; who anſwerit be word, juſtifie-

ing his proceedinges theranent, and was ordainit to give in his purgatioun in wryte, to the effect that his good mynd and proceedinges may be knawin to all and fundrie that heirafter wald be satisfiied heiranent.

Tenour of the forsaid Purgatioun.

To the end that all that feares God may understand my proceedinges in this matter, I fall shortlie declare what I did, and what moved me to defend the same, leaving the finall judgement of all things to the Kirk. First, be the requeist of Mr Thomas Hepburne, in the Queins name, to proclame her with my Lord Bothwell, I plainly refuseit because he had not her hand wryte; and also the commoun brute that my Lord had both ravischit her and kept her in captivitie. Upon Wedinsday nixt, the Justice Clerk broght me ane wryting subscryvit with her hand, bearing in effect, That sho was neither ravischit, nor get retainit in captivitie, and therfor chargeit me to proclame. My answer was, I durst proclame no bands (and cheiffie such) without consent and comand of the Kirk. Upon Thuresday nixt, the Kirk, after long reasoning with the Justice Clerk and amangst the brethren, concludit that the Queines mynd schould be publisheit to her subjects thrie next preaching dayes; but because the Generall Assemblie had prohibited all sick mariages, we protestit we wold neither solemnize, neither get approve that mariage, bot wald only declare the Princes mynd, leaving all doubts and dangers to the counsellours, approvers and performers of the mariage. And so upon Fryday nixt, I declarit the hail mynd and progresse of the Kirk, desyreing every man in Gods name to discharge his conscience befor the Secreit Counsell, and to give boldnes to vthers. I desyrit of the Lords ther present tyme and place to speake my judgement befor the pairties, protesting if I were not hard and satisfiied, I either wald desist from proclaiming, or els declare my mynd publickly before the Kirk. Therfor being admittit after noone before my Lord in the Counsell, I laid to his charge the law of adulterie, the ordinance of the Kirk, the law of ravisching, the suspicioun of collusioun betwixt him and his wyfe, the sudden divorcement, and proclaiming within the space of foure dayes, and last, the suspitioun of the Kings death, quhilk her mariage wald confirme. Bot he anfuert no thing to my satisfiactioun; quherfor after many exhortatiouns, I protestit that I could not but declare my mynd publickly to the Kirk. Therfor, upon Sunday, after I had declarit quhat they had done, and how they wald pro-

ceid quhither we wold or not, I tooke heavin and earth to witnes that I abhorrit and detestit that mariage, because it was odious and slanderous to the world ; and seeing the best part of the realme did approve it, either be flatterie or be their silence, I desyrit the faithfull to pray earnestly that God wald turne it to the comfort of this realme, that thing quhilk they intendit agains reason and good conscience. I, because I heard some persons gangand against me, usit thir reasons for my defensis : First, I had brock-in no law be proclaiming of thir persons at their request ; secondlie, if their mariage was slanderous and hurtfull, I did weill in forewarning of all men of it in tyme; thirdlie, as I had of duetie declareit to them the Princes will, sa did I faithfully teach them be word and example what God craveit of them. Bot upon Tuesday nixt I was callit befor the Counsell, and accuseit that I had past the bounds of my commissioun, calling the Princes mariage odious and slanderous befor the world. I ansuerit, The bounds of my commissioun, quhilk was the word of God, guide lawes and naturall reason, was able to prove quhatsoever I spake ; gea that their awn conscience could not but beare witnes that sikk a mariage wald be odious and scandalous to all that fould heir of it, if all the circumstances therof were rightlie confidderit : Bot quhill I was coming to my probatioun, my Lord put me to silence and fend me away. And so upon Wedinsday, I first repeited and ratified all things befor spokin, and after exhortit the brethren not to accuse me, if that mariage proceedit, bot rather themselves, who wold not for feare oppone themselves, bot rather sharpit their tongues against me because I admonished them of their duetie, and sufferit not the cankerit consciences of hypocrites to sleip at rest, protesting at all tymes to them that it was not my proclaiming bot rather their silence that gave any lawfulness to that mariage. For as the proclaiming did take all excuse fra them, so my privat and publick impugnation did save my conscience sufficiently ; and this farre I proceedit in this mariage, as the kirk of Edinburgh, Lords, Erles, and Barrones that heard me will beare me witnes. Now seeing I have been shamefullie slanderit both in [England and] Scotland, be wrong informatioun and false report of them that hateit my ministrie, I desyre first the judgement of the Kirk, and nixt the same to be publishit, that all men may understand quhither I be worthie of sikk ane brute or not.

1567 years instant, and siclike yearly in time coming, quhill he be lawfully discharged; acquittances and discharges thereupon to make, give and subscribe; and generally all and sundry other things to doe and exerce, that to the office of collectorie in such cases, by law and consuetude, is knowne to pertain; firm and stable holding and for to hold all and whatsomevir things the said collectors doeth in the premises, or lawfully leadeth to be done; provyding alwise that he use the said office of collectorie, and behave himself therein, according to the injunctiouns given to him therupon; and make compt reckoning and payment of his intromissions, after the form and tenor therof. Given in the General Assemblie, and fifth Session therof.

The Tennor of the Caution for everie Collector, according to the Injunctiouns, followeth:

We N. and N. Forsameikle as the Assembly holden at Edinburgh the 2d of Januar 1567 years, hath made and constitute their loving brother N. within the bounds of N. collector, and hath made and given to him certain injunctiouns, with commissioun for using of the said office for the crop and year of God 1567 years instant, and siclike yearly, and in time coming, quhill he be lawfully discharged, as at more lenth is contained in these said injunctiouns and commissioun: Therfor we bind and oblige ourselves, our Heirs, Executors and Assigneys, to Mrs Clement Little and Richard Strang, Procurators for the Kirk, and in their names, that the said N. shall truly, leilly and diligentlie use and exerce the said office, to the weel and utility of the Kirk, without fraud or guile, according to the commissioun and injunctiouns given to him therupon; and shall make reckoning and thankfull payment of his intromissions during all the time of his office; and if he fail, we shall refund and pay to the Kirk all and whatsomever things the said N. shall happen to be addebted to them, during all the time forsaid: And for more sure payment of the premises, we are content and consents that this our assignation be acted in the books of Counsel, and decerned to have the strength of a decreit of the Lords, and executorials to passe thereupon in form as effeirs. And I the said N. bind and oblige me myself, my heirs, executors and assigneys, to free, releve and keip skaithless the said N. and N. my soverties, &c. In witness of the whilks, we have subscribed this obligation with our hand at Edinburgh the day of .

It is required, that every collector be known to be of sound religion ; that they shall do their office without suspicion of fraud or avarice, make payment to every superintendent, commissioner of the Kirk, minister or reader living within their bounds, of the stipend appointed to them quarterly, at four terms in the year, and that the said payment be made to every one that serveth that hath stipend or fee, at their own houses, that they be not compelled to seek abroad, and leave their vocation : That where the rental beareth victuall, they shall not have power to sell the victuall or any part thereof, or sett price thereupon, but be the advice of the Assembly allenerly, or such as they shall deput commissioners thereto in every province ; and that the said collectors shall have their hand-writs to shew at their compts, and shall sell no victuall till the ministers be first furnished, or els refuse to receive the samein upon the prices which shall be appointed : And if the poor labourers be not able for povertie to deliver the bolls, he shall take no higher prices than is appointed, nor put up in the garnel, where he may have the prices befor appointed.

Item, that they shall not drive time fraudulently, in payment of ministers stipends ; that they be not compelled through necessity to give acquittances of greater sumes than they shall happen to receive, or take the victualls at dearer prices than shall be appointed : And if it be known that he hath dealt fraudulently or covetously, to the hurt either of ministers or subjects, that he shall incur the pain of twa hundereth pounds, to be applyed to godlie uses.

Item, That they shall make a just account to the Assembly, or others to be appointed to receive the same, of their particular intromissions with their foirsaides thrids, and make faithfull payment of the superplusses resting in their hands above the payment of the ministers, or els give in letters of horning sufficiently execut and indorsed, of their diligence.

Item, That they resign their office in the hands of the Assembly, whensoever they shall be charged, or found negligent or fraudulent. Item, That they find some sufficient landed man or burges, cautioner, one or more if one be not sufficient for the faithful administration of their office, under pain of refunding all damages, skaiths, and entres which the Kirk or any member therof shall sustain through their defaults, the samein being summarily liquidat and known, and los of their office ipso facto, and under pain before expressed in the fourth Article.

Seff. 6th ... Januarij 1567.

The Superintendent of Angus presented a supplication in write, or rather a dimission of his office of superintendancie, be reason he was not able to discharge that office in respect of his age and infirmity: The Assembly notwithstanding would not accept this his dimission, for divers respects, to be shewn to the said superintendent, and continued him in the said vocation till farder adviement.

Seff. 7th ... Januarij 1567.

It was ordained, That a letter should be sent to England to Mr Willocks to request him to return; the tenor wherof followeth.

Videbam Satanam sicut fulgur de caelo cadentem.

As the Lord our God hath at all times been from the beginning of this his work of reformation and restitution of the purity of his true worship and religion within Scotland, loving brother in the Lord, most beneficiall and bountifull toward this realme, so hath he now be this last, but most miraculous victory and overthrow, poured forth in greatest abundance the riches of his mercies, in that not only he hath driven away the tempest and storm, but also hath quited and calmed all fourses of persecution; as now we may think weal our ship is received, and placed in a most happy and blessed port; our enemies, praised be God, are dashed; religion established; sufficient provision made for ministers; ordour taken, and penaltie appointed, for all sort of transgression and transgressours; and above all, a godly magistrat, whom God of his eternall and heavenly Providence hath reserved to this age, to put in execution whatsoever he by his law commandeth. Now then, loving brother, as your presence was to us all in time of trouble most comfortable, so it is now of us all universally wished, but most earnestly craved be your own flock, who continually at all Assemblies have declared the force of that conjunction, the earnestness of that love, the pith of that zeal and mutual care that bindeth the pastor with his flock, which neither be progress of

you, ſeing your compt is fo laid. Thus we commit you to the protection of our Lord Jefus. At Edinburgh, in our Generall Affembly, and ſeventh ſeffion therof. C.]

Some brethren were appointed to revise the travels of the superintendents and commissioners, appointed by the last Assembly, to visit kirks, to note the notorious crimes and names of the offenders, that their names might be presented to the Regent with a supplication of the Assembly for justice, to wit, Mr John Craig, John Row, William Christefone, John Duncanfone, David Fergusone, and Mr Robert Hammlton minister at Sanct Andrews.

It was ordained, that superintendents should command readers to abstain from all ministrations of the sacraments, under the pain to be accused as abusers, and criminall according to the act of Parliament. C.]

Sessio 2^a 6 Julij 1568.

Anent the ordour heirafter to be used in Generall Assemblies, to the desyre of ane lettre presented by ane brether for receiving of the ordour heirtofor, the hail votit and concludit as followes, viz. That give the ordour already received pleases not men, be reason of the pluralitie of voyces; it was thought meitt to reforme in this maner:

First, That none have place nor power to vote, except superintendents, commissioners appointit for visiteing kirks, ministers brocht with them presentit as persons abill to reason, and having knowledge to judge. With the foirnamit fall be joynit commissioners of burghes and shyres, together with commissioners of univerfities.

Secondlie, Ministers and Commissioners of Shyres fall be chosen at the synodall conventioun of the dioces, by consent of the rest of the ministers and gentill men that fall convene at the said synodall conventioun. Commissioners of burghes fall be appointit by the (L) counfall and kirk of their awin townes.

Thridlie, none to be admittit without sufficient commissioun in wryte; and on aventure that this shuld come ane monople and perpetuall electioun of a few certaine ministers and commissioners, it is concludit that they be changeit fra Assemblie to Assemblie.

Anent the questioun of murther committit upon suddentie and for satisfaction to be made to the Kirk therfor; First, it was answered, that the cryme being confest, or convict lawfullie, the offender fall be admonishit

be the superintendent, or be the nixt reformed kirk where the slaughter was committit, to abstain from all participatioun of the Sacraments, untill that he satisfie the kirk as fall be appointit, and that their admonitioun fall be publishit where the cryme was committit, and where the recent brute therof was spread; to the end that men may understand that the Kirk winks not at the shedding of innocent blood. Secondlie, if the cryme be denyed, and yet the brute therof be constant, and as it were publick, yet fall the suspect be commandit to abstaine fra the use of the Sacraments, untill sicker tyme as farther tryall may be had, or els that he be solemlie purgit of the brute. As for the sudden murther and that quhilk is committit wilfullie, we remitt the anfuier therof to ane former act.

Anent the forme of receiving the homicide or adulterer to the Kirk; nane that hes committit slaughter, adulterie, or incest, or heirafter fall committ the same, fall be receivit to repentance be any particular kirk, till that first they present themselſe befor the Generall Assemblie, ther to receive their injunctiouns, and thereafter they fall keip the same ordour that was prescryvit to Paul Methven in his repentance: This being addit, that he or they fall beir into there hand, at all the tymes of the publick repentance, the same or lyke weapon wherwith the murther was committit.

[As for oppressors of children, they are to be admonished be the Kirk to make publick repentance in sackcloth, barefooted and bareheaded, so oft as the particular kirks shall appoint.

Because the Assemblie was troubled with reading and answering of bills, the superintendent of Fife, Mr George Hay, William Christeson, David Lindsay, ministers, were appointed to read the bills, to write their answer according to their judgment on the back, and to report all to the Assemblie. C.]

Sess. 3^a 7 Julij 1568.

It was delaitit and found that Thomas Baffandine, Printer in Edinburgh, imprintit ane booke, intitulat the Fall of the Romane Kirk, nameing our king and soveraigne supream head of the primitive kirk: Also that he had printed ane psalme booke, in the end wherof was found printed ane bauldie song callit Welcum Fortoun, whilk books he had printit without licence

of the magistrate, or reviseing of the Kirk: Therfor the hail Assemblie ordainit the said Thomas to call in againe all the saids bookes that he hes fauld, and keip the rest unfauld untill he alter the forsaide title, and also that he delete the said baudie song out of the end of the psalm booke: And farther, that he abstaine in all tyme comeing fra farther printing of any thing without licence of the supream magistrate, and reviseing of sick things as pertaine to religioun be some of the Kirk appointit for that purpose. Attour the Assemblie appointit Mr Alexander Arbuthnet to revise the rest of the forsaide tractat, and report to the Kirk what doctrine he finds therin.

[It was ordained, That no office bearer in the Kirk subscribe any assignation, or give charge to any collector, to answer any man of any portion of the patrimony of the Kirk, but such as bear office in the Kirk; and that according to the rolls given to them, subscribed be the keeper of the register of ministers stipends.

It was thought necessar that order should be taken, that common kirks and tithes vacant since the last Parliament through neglect of presentation should be disposed to qualified men, able to discharge their calling to the comfort of the people.

It was ordained, that superintendents and commissioners require such as enjoy benefices, and have gifts enabling them to the ministrie, to be present at the next Assemblie, to accept thereof according to their ability. C.]

Sessio 4^{ta}. 8 Julij 1568.

[Mr Patrick Creich is ordained to make his repentance in Edinburgh the next Lords day; and if he committ the like offence for which he was suspended in the former Assemblie, it is ordained that he be deposed from the functioun of the ministrie, and underly farther correction as the Kirk shall think meet; and that quhosoever shall be found guilty of the like offense, incur the like punishment. C.]

Anent the excommunicatioun of papists, and separatioun of them fra the societie of Chrysts bodie, after due admonition refuseing to joyne themselves to the Kirk; it is concludit, that after they have receivit sufficient admonitioun according to the ordour establishit in particular kirks, and

they get remaining obstinate, they shall be declarit publickly in all congregations necessar to be out of the societie of Chrystis bodie, and to be excommunicat.

[Follow the heads which the Assemblie willed the brethren appointed in the third session to present to my Lord Regents Grace. C.]

Articles presentit to my Lord Regent.

First, Let his Grace know the heavie and grievous complaint of the ministers against them that subscribe the assignatiouns, through the quhilk they are altogether dissapointit of their stipends; for the assignatiouns standing, the thrids are not able as they are ordourit to pay the ministers halfe yeirs stipends, and in some parts not the quarter therof.

It is thought a thing verie unresonable, that the papists, enemies to Gods Kirk and the commoun wealth, and uthers that labours not in the ministrie, shall possesse friely without impositioun the two part of the benefices, and the Kirk quhilk labours shall not possesse the thrid. Heirfor the Kirk desyres that my Lord Regents Grace will take sikk ordour, that the commoun charges might be sustained upon the twa part of the benefices possessed be the papists, swa that the thrid may remaine frie to be disponed be the Kirk. Not that the ministers desyres more nor their reasonable stipends, but that the superplus might support the schooles and the poore, according to the will of God; and that the collectours of the Kirk shall yerlie make count thereof, so that my Lord Regents Grace and the counsell shall know the dispositioun of the samein.

Item, to shew my Lord Regents Grace, that ther is fundrie benefices vacand, and specially the benefices of the commoun, pertaining to cathedrall and metropolitane kirks: That his Grace wald present them to qualified men, be the advyse of the Kirk, at this tyme the Kirk being assemblit; utherwayes the Kirk must dispone them, as falling unto them be reason of fixe monthes past, and nane being presentit; and also the Kirks of the Nonryes presentlie vacand, to present qualified men to them, as in speciall to North Berwick.

Item, that my Lord Regents Grace wald give commissioun and authoritie to certaine persons for reformatioun of the colledge of Aberdein, that the corrupt office bearers, regents and uthers be removeit, and uthers

qualified persons placed in their houses, so that the youth may be instructed in godlines and good letters.

Item, to desire of my Lord Regents Grace, order to be taken for suppressing of vice, whereby the plague of God may be withdrawn from this realm; and that his Grace will take diligent care anent the execution of justice against such odious crimes as shall be given to his Grace in bill, by the superintendents and commissioners of countries.

Item, that his Grace would cause such as are appointed of the Council, to convene with them that are appointed of the Kirk, touching the jurisdiction of the same to decide therein, that time and place may be conditioned upon to that effect, and that it be done before the Parliament.

To advise with my Lord Regents Grace and council, that in the houses and countries where no superintendents are, they may be placed.

Item, to understand what may be done anent augmenting or appointing ministers stipends, as need requires.

Answers to the forsaids Articles be my Lord Regents Grace.

At Edinburgh, the viii day of Julij 1568, being on the Secret Council, my Lord Regents Grace, my Lord Sempill, my Lord Glames, the Secretar, Lord Ochiltrie, and my Lord Balmyrinnoch.

Anent the complaint made by the Kirk, for default of payment of the thirds of benefices to the sustentation of the Ministry, the persons indebted for payment of the same being at the home, and no farther diligence to be used for obtaining of payment; my Lord Regents Grace, with advice of the Lords of Secret Council, ordains the Thesaurar to receive all letters of homing, to be presented by whatsoever collectors, either of the lxvi years crop, or of the lxvii, or in time coming, and upon the saids letters of homing to direct letters to officers of arms, or to the shyreffs of the shires, or other ordinary judges, to uptake the escheits of the persons denounced to the home, and of the first and readiest of the saids escheits, to pay to the collectors the summes aughtand, for the which the saids persons was put to the home; frielie takeand up the remanent to our sovereign Lords use, at the least takeand so meikle above the value of the debt aughtand, as will make the expenses upon the execution of the letters in uptakeing the escheit, so that no expenses in execution of the

said letters be made, utherwayes but of the escheitt of the persons denunceit.

All commoun kirks fall be givin to qualified persons, ministers; and als where any prebendaries are foundit upon the fruites of teyndis, as Dum-bernie, and Ormestoun in Lowthiane, as the prebendarie vakes, to be uptakin be the collectours.

Ordaines ane commiffioun to be made for reformatioun of the colledge of Aberdein, and for placeing of godlie and qualified persons maisters therin.

The roll of the committers of the vyces to be presentit to my Lord Regents Grace, who fall cause the Justice Clerk proceide in forme of justice agains them.

Item, my Lord Regents Grace fall give warning to the persons nameit, in the end of the Parliament, to conveyne the viii day of August.

To the saxt heid, forsameikle as superintendents cannot presentlie be appointit, the Kirk man appoint commiffioners for the selfe same purpose, as they fall think good to give commiffion, quhill the nixt Generall Assemblie.

To the vii heid, anent the advyfe for augmenting or appointing of ministers stipends, be advyce of my Lord Regents Grace and counsell, the clerk of register, the Laird of Pitcarro, and Mr Henry Balnaves, were appointed with such of the Kirk as they fall think mait, or any twa of them.

The Regents Lettre anent the Chaplienries.

We understand that ther is some chaplenries properlie pertaining to the Kings Majesties presentatioun, and some at this present to be disponit. We heirfor have thocht good to requyre your opinion how we fall proceid in that behalfe presentlie, and in tyme coming, that ignorantlie we doe nothing wherwith the Kirk may justlie find fault heirafter.

JAMES REGENT.

Seff. 5^a 9 Julii 1568.

[Mr Robert Pont is continued commiffioner for visitation of Murray till the next Assemblie, notwithstanding that he desired to be placed in a particular congregation.

For answer to the supplication presented in the Bishop of Cathnes

name, the Assemblie giveth commiffion to the faid bifhop for a geir to vifit and plant kirks ; and for his ftipend thought meet that he fhall have his quhole thrid of the bifhoprick dimitted, providing he fustain minifters in his own kirks thereupon ; the reft of the minifters of the diocie to be fufained upon the reft of the thrids within their bounds, according to their ftipends already modified.

Mr Knox his commiffion to vifit the kirks of Kyle, Carrick, and Cunnigham, is continued till the nixt Assemblie ; and he ordained to begin when he may conveniently, quhich hithertills he could not conveniently get done.

The brethren appointed to decide queftions, report their decifions. C.]

Ane reidar was provin and conviēt for meddling with ane certaine woman, and afterward was verified that the fame woman had ane husband liveand when the faid reidar medlit with her, bot alledgis he knew not the fame, and fho had not bein in the uther mans companie a certain fpace of befor. At comand of the Kirk, the reidar put away the faid woman, who hes bein from him the fpace of ane yeir paft or therby. This reidar defyris to be admittit to his office againe, in refpect of his bypaft converfatioun be the faid fpace of ane yeir, and to doe farther what the Kirk will injoyne him. Queritur an debeat. Anfuer, after publick repentance according to the ordour, receive him.

Ane minifter conveyit be contract with a certaine vicar, and the vicar fauld his vicarage of the kirk wher the minifter fervit, in favours of the minifter ; and the minifter promeift againe to pay him a certaine fmall fowme at tymes and dayes, for the goodwill of the viccarage, and that in manner of compofitioun, nomine penfionis : And now ane uther minifter accuses this former minifter befor the Kirk, as ane man unworthie to bruik office, becaufe of the faid contract, quhilk he alledges to be fimoniall ; and the uther protests that he be conviēt in pœna talionis, in cace it be not foundin. Queritur primum, an predictus contractus fit Simonis ; et fi fit, qua pœna puniendus est ille primus minifter ? Secundo, fi accusator cadet caufa, qua pœna est ille puniendus qui illud fcandalum fufcitavit ? Anfuer, publick repentance for his accusatioun.

Seff. 6^a 10 Julij 1568.

It is statute and ordainit be the hail Assemblie, that minifters, exhorters, reidars, or uthers perfons heirafter trouble or moleft not the Generall Assemblie with fick things as superintendents may and aught decyde in their fynodall conventiouns; and if any chance to doe heirafter in the contrair, their lettres fall be rejectit.

Touching the bifchop of Orknayes fufpenfioun from the miniftrie the laft Assemblie, and his obedience and fubmiffioun, the Kirk reftores him againe to the miniftrie of the word, and els ordaines him one fome Sunday when he beft may for weaknes of his body, to make a fermoun in the kirk of Halierudehous, and in the end therof to confefle the offence in marieng the Queine with the Erle Bothwell, and defyre the Kirk ther present for the tyme, to forgive him his offence and flander givin be him in doing the foirnamit act. The quhilk he promifed to doe.

[The Commiffioner of Galloway is ordained to come to Edinburgh at the time of the nixt Parliament, and fhew his diligence in the charge committed to him in that province; and to answer whether he will awaite on court and counfell, or upon preaching the word and planting kirks. The superintendents of Angus, Fife, and Lothian, were appointed to report his diligence and answers to the nixt Assemblie; and in the mean tyme Mr John Row was appointed to vifite Galloway.

Mr George Hay being complained upon be Andrew Murrey of Blackbaronie, in name of the parochiners of Edlestone, quherof he had the perfonage, for that he neither preached the word nor miniftred the facraments to them, was fharpely rebuiked.

Seff. 7^{ma} . . . Julij 1568.

Mrs John Willock, John Craig, John Row, Robert Pont, James Gray, Williame Chrifefone, and David Lindfey, were appointed to revife the form and order to be ufed in excommunication, which is penned be Mr Knox at the defire of the Assemblie, and to report their judgment. C.]

A. D. M.D.LXVIII.

THE Generall Affemblic of the Kirk haldin in Edinburgh, in the Neither Counsell-houfe, the 25 of December 1568 : In the quhilk were affemblit the Superintendents, Minifters, and Cómiffioners of Townes and Kirks : Thanks being givin, and invocatioun for the affiftance of the Holy Spirit, be Mr Johne Knox, Minifter of Edinburgh.

Anent the lettre receivit fra my Lord of Glencarne, daitit at Glafgow the xxi day of December instant, bearing in effect the great zeale his Lordfhip beares to the glorie of God, the mantaining of the commoun caufe, and infant neceffitie of the minifters of Chryfts evangell, for fupport wherof his Lordfhip hes put the Kirk in poffeffion of the thrids of the bifhoprick of Glafgow, more regarding the mantaining of the miniftrie nor his Lordfhips awin profite or commoditie, fhewing his Lordfhips great defyre to have been at this present Affemblic, if the urgent caufe of the commoun weill now in hands, and als the diftance of the place now impedit, promifeing quhatfoever beis in this Affemblic godlie concludit on, his Lordfhip will fett forward the fame at the uttermoft of his power ; requesting alfo for the placeing of Mr Johne Porterfield, now banifcht from Dumbartan, as in lyke manner for ane godlie learned Inglifchman, and for their reafonable ftipends, off the quhilk his Lordfhip godlie zeale and benefite beftowit on the Kirk, as alfo the earneft carefulnes for fupporting the pafours of Chryfts flocke. The hail brethren affemblit unfainedly praifes God, and thanks his Lordfhip moft heartlie, not doubting but the Spirit of the Lord Jefus Chryft will ftrenthen his Lordfhip to the end. As to the twa brethren requeiftit for be his Lordfhip, the brethren affemblit hes givin commiffion to Mr Andro Hay to place and appoint them according to his confcience.

Because of the rarenes of this Assemblie, the 25 day of Feberwar nixt was appointit to conveye on, and lettres of advertifement was ordained to be fend to every superintendent ; whose tenour followes.

The hail brethren presentlie assemblit, having confideratioun not only of the brute and feiknes within this brugh, albeit, God be praised, ther is no occasioun of feare therof, bot also the great tempest and storme of weather thought to be univerfallie within this realme, as weill in the north as in the south ; That throw the feare of the ane, and impediment of the uther, the brethren, superintendents of Angus, Mernes, and Fyffe, ministers and commiffioners, and uthers, asweill of these parts as of the west and south, might not compeir at this Assemblie, according to the appointment therof in the last sessioun of the Assemblie haldin in July last, was thocht meit to continue all actiouns quhatsoever unreasonit and undecydit quhill the 25 day of Februar nixt to come, and then to have the hail brethren forsaids to conveye in Edinburgh be themselves ; or if any thing chanches in the meane tyme, wherthrow justlie they are impedit, their commiffioners sufficientlie authorized, if the said day and place please not the hail brethren, or maist part therof, To reason and conclude all actions pertaining to the ministrie ; to condiscend and appoint some uther day and place, not only convenient for the ministers, and commiffioners of townes and kirks ; but also apt for resorting of the nobilitie and Privie Counsell, whose presence is verie requisite for setting forward the affaires of the Kirk ; and therfor exhortit the saids brethren, Superintendents of Angus and Fyfe, to advertise their uther brethren, ministers, and commiffioners of townes and kirks, within their bounds respective, as was appointit in the last Assemblie ; To convene in Edinburgh the said 25 day of Februar nixt to come, as the brethren of west and south fall be in like manner warnit therto. Given in the Generall Assemblie and first sessioun therof, subscryvit be the clerk, of the same day, yeir, and place forsaids.

A. D. M.D.LXVIII.

THE General Assemblie of the Kirk conveyit in Edinburgh, within the Over Tolbuith thereof, the 25 day of Februar 1568: In the quhilk were assemblit the Superintendents, Ministers, and Commiffioners of townes, kirks, and univerfities.

And for eschewing of confusion in reasoning among the brethren conveyit presentlie, with ane voice was present chofen Mr David Lindfay, to be Moderator for this present Assemblie.

[The Assemblie thought good to ask at the Regent, if they shall enter in processe against the Earle of Huntly, for removing the collectors of the Kirk in his bounds; and in case of disobedience, excommunicate him, feing he outwardly professeth our religion. It was ordained that a missive should be written and subscribed be the clerk, to be sent to Robert Lord Stewart, Commendator of Halvudhouse, to assist Mr James Annand and Mr Gilbert Fousie, Commiffioners appointed to visit and plant kirks in Orkney and Zetland, and to maintain the collector in gathering of the thirds for sustentation of ministers. C.]

Seff. 2^{da} 26 Februarii 1568.

The haill brethren conveyit and assemblit, thocht meit, that ane supplicatioun be presentit to the supream Magistrate, anent sick persons as hes receivit their benefices in Papistrie, payand now allanerlie their thridis,

thinkand themselves therthrow dischargeit of all farther cure in the Kirk ; requyreing at his Grace quhat ordour fall be tane anent sick perfons.

Item, whether it be lawfull to a minister of Gods word having benefice, to sett takes thereof to any particular person within the parochin, or without the same ; and if ane law fall be made, that no minister fell his benefice to any particular person.

Item, ane supplicatioun to be made to thè Regents Grace, for reductioun of all benefices given to any person contrair the act of Parliament, or Secretit Counsell, grantit in favours of the Kirk, or ministers of the same.

The same day Mr Andro Blakhall, minister of Ormestoune, was accufit be the Commiffioners of the towne of Edinburgh, for marrieing of ane callit James Hamilton, indwaller of the towne of Edinburgh, with ane Jenat Huntar in Ormestoun, without lettres testimoniall of their bands proclaiming ; agains the quhilk James the Kirk of Edinburgh had something to say for offences committit. After all defences made be the said Mr Andro, the hail Kirk finds him to have broken the act, That na minister fall marie the parochiners of another parochin, without a sufficient testimoniall, and so guiltie of the paine conteinit therein : Not the less the commiffioners and ministers of Edinburgh made supplicatioun to the hail Assemblie, that the rigour of the act sould not strike upon him, but that some satisfactioun sould be made to the Kirk of Edinburgh, at the discretioun of the hail Kirk. Quhilk supplication the hail brethren acceptit, and ordainit that the said Mr Andro fall compeir before the session of the Kirk of Edinburgh, on Thursday next to come, and ther confesse his awin offence, desyreing pardon therof, with promise never to offend in sick sort heirafter, under the paines containit in the said act, to be execute to the rigour therof.

[Mr John Spotswood, Superintendent of Lothian, was delated for slackness in visitation of the kirks, &c. He alleged non-payment of his stipend for the three years bypast ; and that diverse times he had exhibite to the Justice Clerk the names of haynous offenders, but could find no execution.

Seff. 3^a ... March 1568.

Commiffion and power was given to the Superintendent of Angus, Mr George Hay, minister of Ruthven, Mr Robert Pont, Commiffioner of the

Kirks in Murrey, and Adam Heriot, minister of Aberdein, to require the Earle of Huntly to restore the Collectors of the Kirk to their places; and if he refuse, to summond him to compear before them, or any two of them, when and where they shall think meet, to answer anent the premisses; with certification, if he compear not, nor get restoreth the said Collectors to their places, due admonitions preceeding, that they shall proceed to the sentence of excommunication.

The Bishop of Caithness is continued till the next Assembly. C.]

Sess. 4^a 7 March 1568.

Tenour of a lettre sent be the Duke of Chattelherault His Grace to the Assembly.

Grace, mercie, and peace from God the Father, throw Jesus Chryft, we wish you.

Brethren, we thocht it expedient to certifie you, that being in France, and hearing of the great troubles of this our native countrey, of conscience and duetie was compellit to come home, desyreous to help to pacifie the same at our utter power, first to the glorie of Almighty God, and nixt to the releife of the right fair and lamentabill opprest true subjects, whose innocent blood and innumerable herschips, oppressiouns, wrangis, and stouthes that hes bein committit, and daylie is upon them, is to us so grievous and intollerable a burden, both in conscience and honour, that we rather refuse not only this our native realme, but also the hail world, or it were not reformit. And albeit, in my absence, I have sustaint wrang, I assure you, my awin particular, neither in blood, lands, nor geir, is so heavie to me as the great danger this hail kingdome stands in, if be the grace of Almighty God, and help of the auld and native Scottis blood, it be not foirsein and releivit in tyme. Heiring of your convention, brethren, at this tyme, I have send this beirar to you, to declare this to you to be our full and determinat mynd, to follow be the grace of God, first that the word of God may have frie passage through this hail realme, and that the sacraments may be ministrat according to the institution of Chryft Jesus his Soune our Saviour; nixt, that everie true subject within this realme may

live without feare upon that quhilk is iustly his owne, according to Gods calling and commandement. In this cause of this present diversitie of our native soveraigne and a part of her subjects, for the quhilk we are verie heartlie forie, and, as the Almighty God knowes, innocent of foirknowledge of any doing, so we wold wisch all uthers to be sick lyke; our desyre is, that all hostilitie and troubles might be pacified, according to the command of Almighty God, and that the haill estates in quyet and peaceable manner may conveine, and first calling for his grace and holie spirit of righteous judgement, might consider the ground and beginning of this altogether evill deid, I meane the slauchter of the Queins late husband, quhat hes proceidit therupon sensyne, and quhat God wald of reason sould be done therfor; and this to be devyfit either be the haill estates, or xxv of the wisest of the nobilitie chosin be the haill, and to be followit be the haill peiple of the realme.; wherunto we of the nobilitie, and all that continues under our obedience to the Queine our soveraigne, fall for Gods cause, and for the commoun weill, be found aggriable. I avoyde the wrongous judgement may be spokin, that we wryte this to zou because of proclamatiouns the Erle of Murray hes made in diverse thyres in this realme, to have the peiple in Glasgou the x day of March. We wold ye sould consider we doe it not for that cause; for first, as ye know, sen befor thir troubles begouth, we have nevir bein in this countrey befor the 25 day of this instant Februar, wherthrow we might have shawin our mynd heirin, and all the peiple of Scotland was gatherit together, both for nativnes of blood, and, forgive, my deserving of my forbeares and myfelfe; there is the strenght of the world wher I could wisch myfelfe and find me most sure: and if the said Erle of Murray wald take upon him to invade me or any of my freinds or dependers, or any true men of this realme, (as I cannot thinke he will) then trest I that the nobilitie or peiple will not assist him therto, whill first they find ane cause worthie, and be declarit be the ancient lawes of the realme. And thogh we desyre thir conventiounes, and forces of men of warre, to be turned upon the theifis and oppreffours of the realme, wherunto we fall be most readie with our bodies and geir to doe the devoir of the noble and true men, zet if he will persevere to perfew us, we doubt not in God and the justnes of our cause, to find all the noble and true men so favourable to us, that it fall not be in his power to doe us wrong upon particular malice, altogether without deserving. Therfor we requyre zou, in Gods behalfe, to make some of

our affairs and mynd patent unto the peiple; and if ge find nocht on our part socht heir and offerit that to our Christian professioun pertaint, duetie requireth that ye come and reason the same with us, whair ge fall find us reasonable in all causes, according to Gods word and equitie; on whose divyne protection we commit you. Of Hamiltoun, the 27 of Februar.

Your Christian brother,

JAMES HAMILTOUN.

After reiding of the said lettre, the brethren being advyfeit therupon, anfuerit to the beirar of the lettre, that the Kirk wald fend some of the brethren to my Lord Regents Grace, to know his pleasure, whither they fould write, or fend ane certaine of the Kirk with commiffion fra the same, to my Lord Dukes Grace, shewing and declaring the opinioun of the Kirk touching his Graces lettre.

And for that same, the hail Kirk gave commiffioun to the brethren, Mrs Johne Spotifwood, Johne Wyrhame, and Johne Row, to passe to my Lord Regents Grace, and know his pleasure concerning the said lettre; and thereafter to passe according to his Graces command to my Lord Dukes Grace, and conferre with him, and uthers of the nobilitie whom they find present; and be all meanes possible to reconceile the nobilitie forsaide to the obedience of the Kings Majestie and his Regents, and farther to doe as the said commiffioun proportis.

Seff. 5th. 8 Marche 1568.

It was concludit be the hail brethren assemblit, that ane generall fasting be proclaimit through all Scotland, and to begin in Lowthiane, Fyfe, and sikk uther places as may receive advertisement, the 13 day of this instant. Thereafter the superintendents and commiffioners of provinces to advertise and begin at sikk tymes as they thinke most expedient, and to continue fra the first day to that day aught dayes inclusive; and in the meane tyme to use the exercise accustomeit in the kirk of the first institutioun, and els to use sobrietie in eating and drinking in tyme of the exercise. Moreover concludit that all Superintendents and Commiffioners of provinces

fall heirafter intitute and use the same ordour of fasting, so oft as just occasioun shall serve and shall seime meit be ther godlie wifdome, without any further appointment be the Generall Affemblic.

[Certain heads were formed, quich were to be presented to the Regents Grace and Counsell, and Commiffioners appointed to present the same, and crave answer ; the tenor of quich heads followeth. C.]

Articles sent to my Lord Regents Grace.

[That such as have benefices, and doe nothing but pay their thrid, may be compelled to bear farther burden with the Kirk, and for support of the poor ; for it seemeth altogether unreasonabell, that idle bellies shall devour and consume the patrimony of the Kirk, while the faithfull travellers in the Lords vineyard suffer extreame poverty, and the needy members of Christs body are altogether neglected.

That such as have many benefices may be compelled to demitt all except one.

That ordour may be taken that the Collectors may be obeyed, quho are now universallly disobeyed, as well be Protestants as Papists. C.]

That remedie may be provydit agains the oppreffioun of the Earle of Huntlie, and of uthers, who hes deposit the Collectours of the Kirk, and tirranoullie placeit their awin.

That it may please his Grace and the Secreit Counsell, that the Kirk fra admonitions may passe to farther censures agains the said Erle, and all uthers guiltie of the lyke oppreffioun, unto publick excommunication, in cace of his and their contempt.

That the Kirk, without offence of his Majestie, may appoint their brother, Mr Robert Pont, quher his labours may be more fruitfull then they can be for this present in Murray.

[That remedie may be provided againt the chopping and changing of benefices, felling of the same, diminishing of the rentals, setting of long tacks, in defraud of ministers, both for the present and for the time to come ; againt the quich, except substantiall remedie be provided, not only shall the Kirk suffer damage ; but also that portion quich might support the common affairs of the realme, shall be craftily fold.

That order may be taken with such as are already excommunicat, and doe contemn the censures, may be punished. C.]

That ordour may be takin, that sick odious crymes as this day provocks Gods displeasure against the hail land, may be punishit as God hes comandit. If his Grace send us to the Justice Clerk, experience hes teachit us sufficiently quhat he hes done in any sick matters.

The Kirk requyres, that anes the jurisdiction therof may be separate fra that quhilk is civill.

That the questioun of adulterie may once take effect; at least a decision in that heid, quhither the adulterer fall be admitted to the benefite of marriage or not.

Seff. 6^a ... March 1568.

[It was ordained, that the letter directed to the Lords who have made defection from the Kings Majestie, after it be returned from the Regents Grace, shall be registrat amongst the acts of the Kirk, and that it be printed.

Anent proceeding be degrees in schools to the degree of a Doctor of Divinity; it was ordained, that the brethren of the Colledges of Sanct Andrews conveen and form such order as they shall think meet; and that they present the same to the next Assembly to be revised and considered, that the Assembly may eek or diminish as they shall think good, and that thereafter the order allowed be established. C.]

A. D. M.D.LXIX.

THE Generall Assemblie of the Kirk, conveyit in Edinburgh and Nether Counfell house, the 5 day of July 1569: In the quhilk were present the Superintendents, Ministers, Barrons, and Commissioners of the Townes and Kirks.

For eschewing of confusion, quhilk might chance in reasoning among the brethren presentlie conveyit, with ane voyce was chosen for Moderator, William Christefone minister of Dundie, for this conventioun; quho being chosen, acceptit the office on him.

[Read and allowed the decreet and sentence given be the Lord Regents Grace, his Counfell, and the Superintendent of Angus and Mernes, against the Principall and uther Members of Old Aberdein; the tenour quherof followeth.

We, John Areskine, Superintendent of Angus and Mernes, and Commissioner within the bounds of the Shirefdome of Aberdein and Bamf, and the Ministers and Commissioners within the said bounds, being assembled in the High Kirk of New Aberdein, willing to reform abuses within the said bounds, and in speciall, in the Colledge of Old Aberdein, we directed summons against Mr Alexander Anderfone, principall, Mr Andrew Galloway, sub principall, Mr Andrew Anderfone, Thomas Owften, and Duncan Norie, regents of the saids Colledge, to compear before us, that trial may be taken if they were found in religioun; quhich being found, they were to be suffered to continue in their offices; otherwise, if they

were found corrupt with Popery and errors, not agreeable to the truth, as it is professed faithfully within the Kirk of Scotland, to be deposed, and inhibited to teach and instruct the youth, privately or publickly, in that colledge, or any uther school or colledge within the realme; that uthers well qualified may be placed in their room, able to bring up the youth in the true faith, right worship of God, and good letters. In this mean time, my Lord Regents Grace called before his Grace and Counsell the foresaid persons, being delated to his Grace as very obstinate Papists, enemies to the truth; and required them, as professors of Christs religion, to subscribe the articles following: We, whose names are under-written, doe ratify and approve, from our very hearts, the Confession of Faith, together with all uther acts concerning our religion, given forth in the Parliaments holden at Edinburgh, the 24 day of August 1560, and the 15 day of December 1567; and join ourselves as members of the true kirk of Christ, whose visible face is described in the saids acts; and shall in time coming be participant of the sacraments, now most faithfully and publickly ministred in the said kirk; and submitt us to the jurisdiction and discipline thereof. This was done the penult day of June, and not finding in them obedience, referred them to the last of June: the quihlk day they compeared before his Grace and the Counsell; but most obstinately contemning his Graces most godly admonitions, refused to subscribe the saids articles: Wherefore, my Lord Regents Grace and Lords of Privie Counsell, with deliberation, pronounced the decret and sentence quich followeth: Apud Aberdein, ultimo Junii 1569. The quich day Mr Alexander Anderfone, principall, Mr Alexander Galloway, sub principall, Mr Andrew Anderfone, Mr Thomas Owsten, Mr Duncan Norie, regents of the Colledge of Aberdein, being called in presence of my Lord Regents Grace and Lords of Privie Counsell, being desired, be their subscriptions, to give attestation and plain profession of the faith, with all uther acts made concerning Christian religion, in the Parliaments holden at Edinburgh the 24 day of August 1560, and the 15 day of December in the year of God 1567; the saids persons refused to give their said profession be their hand writtes: In respect quherof, the said Lord Regents Grace, with advice of the saids Lords, have found the saids persons dangerous, and unmeet to have the cure of the instruction of the youth, for the perril of inconveniences both to body and soul: Wherefore, and in respect of the act of Parliament, reporting that none be permitted, nor admitted, to have charge or cure in

schools and univerties, nor instruct the youth, privately nor publickly, but such as shall be tryed be the superintendents and visitors of the kirks ; As for the saids persons denieng to join to the true kirk of God, according to the said Confession of Faith, my Lord Regents Grace, with advice of the saids Lords, declareth and decerneth, that the saids persons are, and shall be deprived, and presently are deprived, ipso facto, of all instruction of the youth within this realme, and of all honours, dignities, functions, preeminence, faculties, and priviledge within the said colledge ; and ordaineth letters to be direct, charging them to remove, desist and cease therefra ; to the effect that uther qualified persons, of sound doctrine and sufficient literature, may be placed therein for instruction of the youth in times coming. The foresaid decret my Lord Regents Grace intimated to us, with the proces used against the saids persons, the quich we did most heartely allow, and gave to God thanks therefore ; and because the errors and obstinacy of the foresaids persons were sufficiently declared unto us, be their refusal to subscribe the godly articles foresaids, as the act of Counsell testifieth, we thought it not expedient to proceed farther in triall of them : And therefore in presence of Mr Alexander Anderfone, principall, and Mr Andrew Anderfone, regent, who only compeared, we pronounced the sentence against them, conform to the decret of the Counsell, as followeth.—I John Areskine, Superintendent of Angus and Mernes, having commision of the Kirk to visite the Shireffdome of Aberdein and Bamf, be the advice of Counsell, and consent of the Ministers, Elders, and Commissioners of Kirks present, decern, conclude, and for final sentence pronounce, that Mr Alexander Anderfone, sometime principall, Mr Alexander Galloway, sometime sub principall, Mr Andrew Anderfone, Thomas Owsten, and Duncan Norie, sometime regents in the Colledge of Old Aberdein, are not to be reputed as members of this kirk ; and therefore exclude them, and every one of them, from using any office or jurisdiction in the Colledge of Old Aberdein ; and inhibite them, and every one of them, to teach publickly or privately, in time coming, in that colledge, or any uther part within this realme ; and ordain them to remove forth of the same colledge with all diligence, that uther godly and well qualified persons may be placed therein, for upbringing of the youth in the fear of God and good letters. This our sentence pronounced, we ordain to be published and intimated to the saids persons, and to the con-

gregation of New and Old Aberdein, publickly the nixt Sunday, the 3 of July nixt 1569.

In the triall of the superintendents, the Superintendent of Lothian and Fife was delated for slackness in visitation, and reparation of the fabricks of kirks.

Mr John Kerfwell, Superintendent of Argile, was reproved for accepting the Bishoprick of the Isles, without making the Assembly forseen; and for riding at, and assisting of the Parliament holden by the Queen, after the murder of the King. C.]

Sess. 2^a 6 July 1569.

Anent the defence givin in the Assembly haldin in December 1567, be Mr Johne Craig, ane of the ministers of Edinburgh, touching the proclaiming of the Queine and the Erle of Bothwall; the said defence beeing publickly and presentlie red, the hail points therein conteinit be the hail Assembly maturelie confiderit; it was found be the hail brethren, that he had done the duetie of ane faithfull minister, and had committit nothing slanderous to sick as hes righteous judgement, in respect of the defence forsaid, quhilk was found both godlie and sufficient for declaratioun of his innocencie theranent; quhilk the hail Assembly declarit and testifiet, and ordainit the sament to be notified to all and fundrie.

[Some adulterous and incestuous persons excommunicated for their offences, compeared, partly to relieve their sureties, partly to know quhat the Assembly would injoin them. The Assembly ordained every one of them to repair to their superintendents, or to the ministers, elders and deacons of their own kirks respective, and to receive injunctions from them how they shall behave themselves till the nixt Assembly; and that then they bring a testimoniall from their ministers of their behaviour to the Assembly, and that they present themselves to the nixt Assembly, bare headed and bare footed, in linnen cloaths, humbly requesting the Assembly for farther injunctions for their offenses, and restitution to the bosome of the Kirk. C.]

refidence at their kirks; and that the law hereupon may be made clear, that it may have execution; and, in like manner, concerning the reparation of kirks.

Item, that all that have benefices be compelled to pay their thrids, fo that payment be made of the years bygone, as well as to come. C.]

That ordour may be takin for sustentatioun of the poore, and that ane portioun of the teinds be appointit for that effect; and in lyke manner, that the pure labourers of the ground may have intromiffioun to lead their awin teinds, upon reasonable compositioun.

[Item, that some auditors of the Exchaqre be appointed to conveen with the auditors of the kirk, to hear the collectors of the kirk their compt.

Item, that immunitie may be granted to the commissiouners of the Kirk sent to Generall Assemblies, that during the time of the Generall Assemblies they be not molested in civil actions.

Item, that superintendents may be planted through the whole realme, as are already in some parts.

Item, that commissiouners may be appointed throughout the whole realme, to cognosce in causes of divorcements.

Item, that such as have benefices, and doe nothing but pay their thrids, be compelled to bear some further burthen with the Kirk, and chiefly for support of the poor. C.]

Item, that sikk as hes plurality of benefices, may be compellit to denounce all save one.

That remedie may be provydit for chapping and changing of benefices, and felling of the same, diminishing of the rentall, of setting of lang takis in defraude of the kirk; and that all taks sett fen the assumption of the thrids, may be dissannullit, with expresse inhibitioun against the same in tyme coming.

[Item, that order may be taken, that such odious crimes as this day procure Gods heavie displeasure against the whole land, may be punished as God commandeth. C.]

Item, that the jurisdictione of the Kirk may be separate fra that quhilk is civil.

[Item, that the question anent adulterers may be once decided, as well concerning the punishment of the adulterers, as quhither the adulterer shall be admitted to the benefite of marriage again or not. C.]

Answers given by my Lord Regents Grace, with advice of the Lords of Secret Counsell, and others of the Nobility, assembled in the Convention at Perth, the penult day of July.

Anent the act made in the Generall Assembly, concerning the assignation of ministers stipends, my Lord Regents Grace, with advice of the Lords of Secret Counsell, and others of the Nobility and Estates, assembled at this present Convention, ordains the assignation to be put in form, and thereafter to be presented to the Exchaque, to be seen and considered by the Lords auditors thereof; to the effect, that the order being found good and reasonable by them, and such of the kirk as shall happen to be present with them, provisions may thereafter be made, and expedite thereupon, according to the meaning of the said act; providing that commissioners or procurators of the Kirk, at the said Exchaque, present the names of the whole kirks in Scotland, and how many ministers are presently thereat; to the end it may be known what kirks are presently provided, and what desolate and destitute of the ministry; and also shew a perfect order how they would the ministers should be paid, by the thirds or otherwise; or have all the writts in readiness, which may clear doubts, and further resolution.

Anent the article desiring that the manse and glebs may be given to the ministers for their residence at kirks, and that the law thereupon may be made clear, that it may take execution, and likewise concerning the reparation of kirks, my Lord Regents Grace, with advice foresaid, promiseth, that he shall cause four, three, or two godly, discreet, and wise men, within the bounds of every superintendents charge, pass with the superintendent or commissioner within the country or province, and visit the manse and glebs of all kirks within the same; to the effect they may report to my Lord Regents Grace, and Lords foresaid, what is the particular quantity of every manse and gleb, by whom the same is presently occupied and inhabited, and by what right and title; as also how much they think sufficient for the lodging and commodity of every minister and reader; and, if they may, to appoint the minister or reader with the possessor of the manse and gleb; and as they do, to report; upon whose report his Grace shall hold hand to see the kirk and ministers presently put in possession of so much of the said manses and glebs as shall be

thought neecessar, be the said superintendents and visiters, for the lodging and commodity of the minister or reader, as said is, where there is no title to impede the same; and in case the same title, by law, be reduceable, or may be declared null, his Grace shall hold hand to see justice ministered thereupon with expedition: and where the matter standeth in terms, that the present possessors cannot be removed by order of law, without an explanation of the act of Parliament, his Grace shall travel to have the same act explained and made clear at the next Parliament; to the effect it may take execution in all times hereafter: and toward the reparation of the kirks, his Grace understandeth that there are acts of the Secret Council sufficient in that behalf already, if the same shall be put in execution.

Anent the article desireing superintendents may be planted throughout the whole realme, my Lord Regents Grace is content that so be done, the persons being godly and learned.

Anent the article desireing that commissioners may be planted throughout the whole realme, to cognosce in cause of divorcements, my Lord Regents Grace promifeth to take sufficient order in that behalf, be any of the Lords of Session, at the next fitting down thereof.

Anent the article desireing that remedy may be provided against chopping and changing of benefices, and selling of the same, diminishing of the rentals, setting of long tacks in defraud of the Kirk, and that all tacks sett since the assumption of the thrids may be disannulled, with express inhibition against the same in time coming, my Lord Regents Grace ordaineth the said article to be well dilated and extended, and presented to the next Parliament, quhere the same shall have a good answer and resolution, quhich presently cannot be done, through default of a speciall and express law against such abuses.

Anent the article desireing that the jurisdiction of the Kirk be separate from that quhich is civill, C.] my Lord Regents Grace ordaines the persons nominate in the act of Parliament to conveye the tyme of the Checker, and desyne and limitat the said jurisdiction, according to the word of God, and the said act of Parliament. *Extractum ex libris actorum Secreti Consilii,*

ALEXANDER HAY.

[The Earle of Argyle, by letter, required the Assembly to cause his wife adhere to him: The Assembly ordained the Superintendent of Fife

to admonish her, and report her answer to the commissioners appointed to be at the Convention at Sanct Johnston. C.]

The tenour of the Act made for Assignatioun of Stipends.

Forfameikle as this long tyme bygane the ministers hes bein universallie defraudit and postponit of their stipends; and now at last it hath pleased God to move the hearts of the superiour power and estates of this realme, to grant the thrids of the hail benefices within this realme to the ministers of Chryfts religioun, be plaine and publick parliament, as at mair length is conteinit in the said parliament haldin at Edinburgh in the moneth of December 1567; in respect wherof, the Kirk presentlie conveyit finds it most neidfull and expedient, that all superintendents, ministers, exhorters and reidars, fall have their awin particular assignatiouns appointed to them, to receive the same fra the hands of the labourers, takfmen, or uthers addebtit in payment of the saids thrids: And therfor the Kirk in ane voyce, be this act, gives their full power and commissioun to every superintendent and commissioner of kirks within their awin bounds, that they and every ane of them, be advyfe and consent of the commissioners of provinces appointit in the synodall conventiouns, give and make particular assignatiouns to every minister, exhorter and reidar within their awin bounds, as they fall find the same most expedient, under the superintendents subscritioun and ministers forsaids, with all claufes neidfull and expedient therto; quhilk fall be als sufficient as if the same were sped be the Generall Assemblie of the Kirk: And as concerning the superintendents and commissioners of kirks, their provision and assignatiouns to be made be the Generall Assemblie of the Kirk, and to the effect this act may take full perfectioun, the Assemblie present requyres most humblie my Lord Regents Grace and Secreit Counsell to interpone their authoritie heirto; that the assignatiouns forsaids, generall and particular, as they fall be presentit to his Grace, may be sped in forme of provisioun ad vitam, under the privie seale, with ordinance therupon, that lettres may be direct at every mans instance under all the foure formes, as is grantit to the possessours of the twa pairt; and als to the same end, that his Grace and his Counsell forsaid wold discern the thrids of the benefices forsaids within this realme, to be separatit and devydit reallie, and with effect, fra the 2 pairt; so that the Kirk may intromett with the thrid part, as the old possessours does

with the two part; the superplus alwayes to be comptabill to the common affairs, according to the act of Parliament.

[And for accomplishment thereof, the Assembly giveth commiffion to the forsaide brethren appointed to goe to the convention at Sanct Johnston with the articles before registred, that, among the rest, they may obtain the confirmation of this act.

Mr Alexander Gordon, some time commiffioner of Galloway, was ordained to come to the next Assembly, and in the mean time inhibited to exerce any function in the kirk, conform to the act made against him in the Generall Assembly holden in July 1568, in quich he was discharged to exerce the office of a commiffioner in that country, or take up the thrids quich he had for that office, in case he compeared not before the last Session of the said Assembly.

Seff. 4^a

Mr Andrew Hay, commiffioner of Cliddisdail, and Mr Robert Pont, commiffioner of Murrey, desired to be disburthened of their commiffions, quherein they had travelled diverse years bygone.

David Hume, minister at Aldhamstocks, protested, that if it happened that Mr Thomas Hepburne were received to publick repentance for his offense committed, &c. the same should no wise be prejudiciall to the gift he had from the supream magistrat of Aldhamstocks, through forefature of Mr Thomas; quich protestation was admitted. C.]

Seff. 5^a 9 July 1569.

[Mr John Wood presented the Regents letter, and according to the credit given him, proponed certain heads to the Assembly, quhereunto answers were given. C.]

My Lord Regents Lettre to the Assemblie.

After our most heartlie commendatiouns, seing we are not able to be present at the Assemblie now approcheand, as our intentioun was, we

thought it convenient breiffie to give you significatioun of our meaning in wryte ; of the quhilk we pray you take good consideration, and accordinglye to give your advertisement. Ye are not ignorant, as we suppose, quhat hes bein the estate of the kirk of God within this realme, both befor we accepted the burdein of regment and senfyne ; how first the thrids of benefices were grantit, and the ministrie therby partly releivit, and sustainit in sick fort, that nothing inlaikit that our travells could procure. The first ordour, indeid, was diverse wayes interrupted and brokin, bot chieffie in that geir when we were exylit in England, quherthrow the haille ministers that yeir were frustrate of their living. Shortlie the estate of government altering at Gods pleasure, and the King, our soveraine Lord, being inaugurate with the crowne of this kingdome, the first thing that we were carefull of, was that the true religioun might be established, and the ministers of the evangell made certaine of their livings and sustentatioun in tyme comeing. Ye know at the Parliament we were most willing that the kirk sould have been put in full possessioun of the proper patrimonie ; and toward the thrids, we exped in our travell, and inlaikit only a consent to the diffolution of the prelacies ; quherunto althogh we were earnestly bent, get the estates delayit, and wold not aggrie therunto. And sen that tyme to this houre, we trust ye will affirme, that we have pretermittit nothing that may advance the religioun, and put the professours therof in suretie ; quheranent the haille and only inlake hes bein in the civill troubles that God hes sufferit the countrey to be plaguit with. Now the matter being, after so great rage, brocht to some stay and quyetnes, it was convenient that we returne wher matters left, and prease to reduce them to the estate they stood in. Ane thing we man call to remembrance, that in sick tyme as we travellit in the parliament, to cause the estates to grie that the thrids sould be discernit to pertaine to the ministrie, they plainly opponit them to us, in respect of the first act, alledgand, that with the sustentatioun of the ministrie, ther was also regard to be had to the support of the prince in sustaining of the publick charges ; quhilks if they had not some releife be that meanes, the renew of the Crowne being sa diminishit, and the ordinar charges come to sick greatnes, on force they wald be burdenit with exactiouns ; and so this dangerous argument compellit us to promitt to the estates, that we wald take upon us, the act being grantit to the Kirk, they sould satisfie and aggrie to any thing sould be thought reasonable for supporting of the publick charges of the Prince ; and

according to this, the commiffioner deput for the affaires of the Kirk, aggriet to certaine affignatiouns of the thrids, for fupporting of the King, and us bearing authoritie: Quhilk ordour had bein fufficient for the haille, if the civill trouble had not occurrit; get the diffobedience growand fo univerfallie, we are content to fuffaine our part of the inlake and lofs for the tyme bypaft. But becaufe ther hes bein murmure and grudge for that thing affignit to the Kings houfe, and ours, and fome uther neidfull things in the ftate, as that therby the miniftrie were frufrate of their appointed ftipendis; fome communicatioun was had at St Androes, and nothing yet concludit quhill the Generall Affembly of the Kirk, quhill now moves us to wryte to you in this forme; prayand you rightly to confider the neceffitie of the caufe, and how the fame hes proceidit fra the beginning; haveing refpect that the Kirk will be verie evill obeyit without the Kings authoritie and power; and that now the propertie of the crowne is not able to fuffaine the ordinarie charges; how in the beginning the thrids had not bein grantit, if the neceffitie of the Prince had not bein one of the cheife caufes; and at the parliament, the eftates, as we befor have wrytin, ftack to confent that the haille thrids fould be declarit to pertaine to the miniftrie, quhill firft we tooke in hand that they being made without condition in favours of the Kirk, the fame wald againe condifcend to fa meikle as wald be fufficient to the fupport of the publick affaires, in fourth fetting of the Kings authoritie; and that therfor ge will now aggrie, and condifcend to ane certaine and fpeciall affignatioun of it, that fall be imployit to this ufe, the quantitie wherof diverfe of your felves, and the beirar Mr Johne Wood our fervand, can informe you, that after ye may diftribute to every man having charge in the Kirk of God his ftipend, according to the condition of the place he ferves in, at your wifdoms difcretioun. Heirby all confufioun, that lang hes troublit the eftate of the Kirk toward the ftipends fall be avoydit, and fome fpeciall provifion being made for fuffaining of the publick charges, we may the better hold hand to fie the Kirk obeyit of that wheron the minifters fould live, as we [have bein willing hertofof, and as we believe your collectors] fall report, that during our travells in the north countrey, they have found our effectuous good will and travell in their furtherance. Farther we man put you in mynd breiflie of ane matter, that occurrit at our late being in Elgyn. Ane Nicoll Sudderland in Forres, was put to the knowledge of ane affyfe for inceft, and with him the woman. The affyfe hes convict him of the

[Thir are the heads proponed be Mr John Wood, in my Lord Regents Graces name, to the Kirk conveyned the 5 day of July, at Edinburgh 1569, with the resolutions and answers thereto.

Articles and their Anfuers.

In primis, That a sufficient sume be taken of the whole thrids of benefices and rents now in your hand, be the last act of Parliament, and particular presentations since that time, and granted for certain years to my Lord Regent now present for support of the publick charges; and that the same may be assigned in place and room commodious.

It is answered be the Kirk, that upon just consideration of my Lord Regents Graces necessity in the publick charges he presently beareth, they have consented, and consenteth, that the whole sourses of [viſtual] and money craved and desired by his Grace, in the last Convention of some of the Lords for that effect in Sanct Andrews, in the moneth of May last was, be granted and allowed, and readily answered be the Collectors, when the same shall be appointed and assigned; and for the more commodious assignation thereof, ordains ane ample and sufficient commission to be made to the Commissioners that shall pass from this present Assembly to the Convention to be holden at Perth, the 25 day of this instant, givand and grantand full power to the saids Commissioners, or most part of them, to assigne the foresaid sumes of viſtuall and money upon such benefices and thrids as shall be most commodious for the Kirk, and the Regents behove, with consent of his Grace; and the same assignation to stand ay and whill the Kirk shall take further order herewith: Providing alwise my Lord Regent shall not pass, nor solcite the Kirk to dispone, any farther of their rents, nor confirm any other pension granted furth of the saids benefices, or thrids quhatsoever, farther then law will compell the Kirk to doe. C.]

To the questioun, Whither the cryme before specified, committed be Nicoll Sudderland, be incest or not. Anfuert: The Kirk finds it incest, and so hes resolvit.

[Item, ane speciall answer anent the interpretation of double benefices be Mr John Porterfield, minister at Dumbartan. Answered and concluded: That no such gifts shall be in tyme coming; and that which is given is dissolved already. C.]

A. D. M.D.LXIX.

[THE Generall Affembly, quich should have been holden in Stirling, the 25 day of February, was continued to the first of March, to be holden at Edinburgh; because none conveened but the Superintendent of Lothian, John Duncanson, Minister to the Kings Majesties house, Patrick Gillespie, Minister at Sanct Ninian, John Clapperton, Exhorter at Livingston, be reason of the murther of the Regent, and for other causes. C.]

A. D. M.D.LXIX.

THE General Affemblic being appointit the 25 of Februar, in Stirling, be reason of troubles fallin out be the slaughtir of my Lord Regents Grace, was continuit till the first of Marche, and begun in Edinburgh the said day, 1569, in the Tolbuith therof; quher were present the Nobilitie, Superintendents, Commiffioners to plant kirks, Ministers, Commiffioners of kirks and townes. The fermoun and prayers made be William Christefone Minister of Dundie, last Moderator.

Sess. 1^a.

Mr Knox, Mrs John Craig, John Row, William Christefon, were apointed to consult upon the order of proceeding in actions to be treated be Affembly, which they did, as followeth. C.]

Ordour to proceid in the Affemblics.

First, that he who was Moderatour in the last Affemblic, shall make the prayer and exhortatioun in the Affemblic thereafter following; quhilk it, the Kirk proceidit to the choosin ane new Moderatour, who shall continue and make prayers and exhortatioun, as said is, and so furth fra Affemblic to Affemblic.

Secondly, the tryall of Superintendents, and Commiffioners for planting kirks, with the accusatiouns, if any beis, be Superintendents, Commiffioners or any uther, against ministers.

Thridlie, the penitents remittit to their Superintendents or Ministers, at the last Assemblies, to be receivit according to the ordour appointit be the said last Assembly; and els to give injunctiouns to uthers notorious criminall persons, that either are summoned be the Superintendents, Commissioners of the Kirk, or of their awin frie will, moveit be haittreit of their cryme, presents themselves to the Generall Assembly.

Fourthlie, to discern upon sick things as either was undecydit at the preceidand Assembly, and remitted to this; or els referrit hitherto be the Lords of Session, auditors of Checker, or uther wayes.

[In the fifth place, collectors shall be called to give their accompts of their diligence, namely of the horners, that thereanent remedy may be provided; and also that they may be discharged, or continued, as occasion shall serve.

In the sixt place, the complaints of countries for want of Superintendents shall be heard, and provided for, according to the necessity of the country which requireth; and likewise appellations interponed from the Synodall Assemblies to the Generall, shall be received.

In the seventh place, questions proponed in the first and second day of the Assembly, shall be decided be such as shall be appointed thereto.

In the eight place, all bills and complaints shall be read and answered.
C.]

Seff. 2^a 2 Marche 1569.

The haill brethren conveint, in ane voyce, for eschewing of confusioun in reasoning, choose Mr Johne Craig, ane of the Ministers of Edinburgh, to be moderator in this Assembly, and to make the prayers and supplicatioun in the beginning of the nixt Assembly, according to the ordour appointit.

[The superintendent of Fife complained upon Mr George Lesly, Minister of Kilconquhar, for not making residence at his kirk, but travelling in diverse parts of the country at his pleasure: It was ordained that he be admonished, and in case of disobedience, suspended or deposed.

Mr Andrew Hay, Commissioner of Cliddisdail, complained upon David Hamilton, Exhorter at the kirk of Monkland, alledging that he had committed double fornication, and refused to underly correction: The Af-

fembly ordained to proceed to excommunication against him, and to depose him from all function in the Kirk. C.]

Anent the complaint givin in be Thomas Smith in Uchiltrie, agains Mr Johne Inglis, minister in Uchiltrie, for debarring of the said Thomas fra the Lords table, becausè he removeit ane shoe of ane horse upon ane Sunday afternoon in Ochiltrie, wher neither preaching nor publick prayers was : After long reasoning, the hail Kirk ordainit the said Thomas to be receivit to the participatioun of the Lords table, and uther benefites of the Kirk hereafter, notwithstanding of the allegit fault above mentionat.

[Some adulterers and incestuous persons compeared in linnen cloaths, bareheaded and barefooted, with testimonials of their honest behaviour during the time of their publick repentance since the last Assembly, according to the injunctions given them. They requested for farther injunctions, if it was the will of the Assembly that they might be received to the society of the faithfull. The Assembly ordained the said persons, and every one of them, and all others, who hereafter shall happen to fulfill their injunctions, C.] and hes not stubronlie contemnit the admonitions of the Kirk, nor sufferit the sentence of excommunication for their offences, fall make publick repentance in sackcloath at their awin kirks, bare heidit and bare foottit, thrie severall days of preaching ; and after the said thrid day, to be receivit in the society of the kirk in their awin cloaths. The uthers that has bein excommunicat for their offences, fall present themselves in sackcloath, bareheidit and barefoottit, saxte preaching dayes ; and the last after sermon, to be receivit in their awin clothes, as said is.

[John Adam of Mauchlin, excommunicat for presenting his child to be baptized be a popish priest, in papisticall manner, presented himself. He, together with other adulterers and incestuous persons, were admitted to publick repentance, conform to the order sett down in the second session of the Assembly, holden in July 1569.

John Flint, Vicar pensioner in Aitton, summoned to compear for abusing the sacraments, compeared ; and was ordained to abstain from all function within the Kirk, till the superintendent of Lothian tried his ability and learning. C.]

Sessio 3^a 3 March 1569.

Anent homicides, incestuous persons, and adulterers, not fugitive from the lawes, bot continuallie futeing to be receivit be the Kirk to publick repentance: After long reasoning, with mature deliberatioun, the hail brethren presentlie affemblit concluded, that all sick persons humblie suing fall be receivit to give the signes of their repentance in their awin kirks, according to the ordour appointed befor, at quhilk tyme the ministers fall publicklye notifie their crymes, that thereby the civill magistrates may know the crymes, and pretend no ignorance thereof.

[The particular injunctions to be used be every particular kirk, touching the trial of signs of repentance of these that are admitted, or hereafter shall be admitted be the Generall Affembly to publick repentance, for slaughter, incest, adultery, or other haineous crimes, are these, to wit: C.] If they be excommunicat for their offences, they fall stand bareheidit, at the kirk doore every preaching day, betwixt the affsemblies, secludit from prayers before and after sermoun; and then entir in the kirk, and sitt in the publick place bareheidit all the tyme of the sermons, and depart before the latter prayer.

The uther that are not excommunicat, fall be placed in the publick place, wher they may be knowin from the rest of the peiple, bareheidit the tyme of the sermons; the minister remembring them in his prayer in the tyme after preaching; all the saids persons to bring their ministers testimonials to the next Affembly, of their behaviour in the meane tyme, according to the act made thereupon be the Kirk, in the 2 sessioun haldin the 7 of July 1569.

Anent the complaint of the parochiners of Kilmenie, for want of a minister to preach Gods word, and minister the sacraments: The hail Kirk concludes, that in respect of the number of qualified and learned men of the auld Colledge, able to preach, and also the neirnes of the said Colledge to the said kirk, that some of them fall either preach and minister the sacraments to the peiple, or els injoyne uthers to doe the same, quhill farder ordour be tane.

[In respect that James Hunter, armorar in Edinburgh, was reconceiled with his first wife, and cohabited with her till her lifes end; the Affembly judgeth him not to be subject to the act made against adulterers separated

Seff. 6^a

It was concluded, That Superintendents, Commiffioners of kirks, prefent and to come, with the Minifters of their provinces, or moft part therof, in their fynodall conventions, fhall choofe and depofe their collectors, as occafion fhall ferve.

The Affembly appointed every Superintendent and Commiffioner, in their own provinces, with the affiftance of fo many Minifters as they fhall choofe, to take particular affumpts of the thrids of all benefices not affumed ; and to report the famen to the next Generall Affembly.

The heads of the accusation, and chief offenses, laid to Adam biftop of Orknay his charge, which the Affembly defired to be redreffed.

In primis, The faid Adam being called to the faid office of Biftoprick, and promoted to the profite therof, and fpecially in Chriffs Kirk, received the charge of preaching of the evangell ; to be alfo Commiffioner in Orknay, quhich he accepted, and executed for a certain fpace thereafter : quhile now of late he hath made a fimoniacall change of the fame with the Abbacie of Halyrudhoufe ; yet bruiking the name, and ftiled Biftop of the fame, contrar to all laws both of God and man made againft fimony.

Secondly, He hath demitted the faid office and cure, in and unto the hands of ane unqualified perfon, without confent and licence asked and granted be the Affembly, leaving the flock deftitute without fhepherd ; whereby not only ignorance is increafed, but alfo moft abundantly all vice and horrible crimes are there committed, as the number of fix hundreth perfons, convict of inceft, adultery, and fornication in Zetland, beareth witnefs : and hath fimpliciter left the office of preaching, giving himfelf dayly to the exercife of the office of a temporall Judge, as a Lord of the Seffion, which requireth the whole man, and fo rightly no wife can exercife both ; and fileth himfelf with Roman titles, as Reverend Father in God, which pertaineth to no Minifters of Chriff Jefus, nor is given them in Scriptures.

Thridly, To the great hurt and defraud of the Kirk, hath both all the thrids of the faid abbacie of Halyrudhoufe from the faid Lord Robert and his bairnes, alledged juft poffeffors of the fame, at leaft made a fimonia-

call change thereof with the rents of Orkney for the same, without consent or knowledge of the Assembly, as diverse contracts made thereupon bear witness; and he hath sett 19 years tacks of the lands of Brughton to his wife.

Fourthly, That he neither planteth kirks destitute of ministers in either of the said rooms; neither sufficiently provideth nor sustaineth the small number planted before his entry; so that except hasty remedy be found, for meer poverty the poor ministers most depart from the saids places, with dolour of their hearts, and also the flocks committed to their charge, as in particular the kirks of Liberton and Sanct Cuthbert can bear witness; and the remanent wholly destitute: also two kirks, to the number of six hundredth soules, that never heard the word twice preached, nor received the sacraments, since the Reformation, viz. Fawkirke and Whytkirke, among all the rest of the number of 27, or thereby, in Lothian, and Galloway.

Fifthly, All the said kirks, for the most part, wherein Christs evangell may be preached, are decayed, and made, some sheepfolds, and some so ruinous, that none darre enter into them for fear of falling; specially Halrudhouse, although the bishop of Sanct Andrews, in time of papistry, sequestrate the whole rents of the said abbacy, because only the glassen windows were not holden up and repaired.

Sixthly, The said Adam hath accused, both publickly and privately, the Ministers of Edinburgh, as persons that have past the bounds of Gods word in their publick teaching, &c.: In token whereof he hath absolutely absented himself from all preaching in the said kirk, and receiving of the sacraments, howbeit he hath had his dwelling place within the said burgh, at certain and diverse times sensyne.

Many moe might be laid to his charge; but the Assembly trusting the former being amended, the rest will the better be redressed, doth superfeed.

Patrick Galbraith at Garvett, was ordained to compear, the first Teufday of Aprile next to come, before the Superintendent of Lothian, in the Synodall convention of his province in Edinburgh, there to be excommunicate be him. C.]

Seff. 7^a 9 of March 1569.

Anent Robert Lickprivick his supplicatioun for support of the Kirk in his office of printing: The Kirk, having respect to his povertie, the great expensses he hes made in buying of printing yrnnes, and the great zeale and love he beares to serve the Kirk at all tymes, hes assignit to him fiftie pundis, to be yearlie payit out of the thrids of the Kirk, be the collectours underwrytin, viz. be the Collectour of Lowthiane x lb. the Collectour of Fyfe x lb. the Collectour of Angus x lb.; quhilk sowlme the auditors of the comptis for the Kirk sall thankfullie allow to every ane of them.

[Some brethren were appointed to convene apart, and decide questions.

Seff. 8^a 10 of March 1569.

It was ordained, That every Superintendent, or Commissioner for the time, shall modifie the stipends, augment or diminish the same, as occasion shall serve, with the assistance of the brethren presently nominated; providing they report the said stipends, the Ministers names hereafter to be planted, the augmentation or diminution of the stipends, to the register of the Ministers and their stipends; noting the time of appointing of the stipend, the entry of every minister, and time of augmentation of the stipend, to the effect that they and collectours may have the extract, and rolls thereof. C.]

It is statute and ordainit, That no minister provydit, or that heirafter fall be provydit to benefices, sett in taks, any manner of way, their gleibs and manses, neither yet any part of the fruites and emoluments therof, in diminutioun of their rentalls; under the paine of depryving fra their benefice for ever: discerning also the taks sett in manner forsaid, to be null and of no effect, as done be him that hes no power.

Seff. 9^a

[Andrew Lord Uchiltrie, George Hume laird of Spott, Robert Fairlie laird of Braid, William Lawder laird of Hautone, Andrew Ker

laird of Fadounside, Mr John Spotfwood, Superintendent of Lothian, Mr Knox, Mrs George Hay, David Lindfay, John Row, were appointed to convene before the Nobility presently assembled in Edinburgh, or whenever they shall assemble hereafter, till the next Assembly; and in their name present some articles, require and receive answers, and report the same to the next Assembly.

Seff. 10^a.

Mr Patrick Adamfone shewing that he was appointed, be the advice of the brethren then convened in Edinburgh, to await on Court and preach to my Lord Regents Grace, and for that purpose was modified to him five hundred merks be year, and had served three moneths upon his own expence; therefore requested the brethren to appoint where he shall receive payment of his stipend pro tanto; which was done.

The Bishop of Orknay presented his answers to the offenses layed to his charge.

To the first he answered, That it is true, that in the 58 year of God, before the reformation of religion, he was, according to the order then observed, provided to the Bishoprick of Orknay; and when idolatry and superstition was suppressed, he suppressed the same also in his bounds, preached the word, administered the sacraments, planted ministers in Orknay and Zetland, disposed benefices, and gave stipends out of his rents to ministers, exhorters and readers; and when he was a Commissioner, visited all the kirkes of Orknay and Zetland twice, to the hazard of his life in dangerous stormes on the seas, whereby he contracted sickness to the great danger of his life; till he was suspended from the exercise of the said commission, in the year 1567, be reason of his infirmity, and sickness contracted through the air of the countrey, and travells in time of tempest: at what time he desired some other place to travell in, which was then thought reasonable.

As for demitting of his office, He denied that ever he demitted to my Lord Robert the same, or any part thereof: but that the said Lord Robert violently intruded himself in his whole living, with bloodshed and hurt of his servants; and after he had craved Justice, his and his servants

lives were fought in the very eyes of Justice in Edinburgh; and then was he constrained, for meer necessity, to take the Abbacie of Halyrudhouse, be advice of sundry godly men; because then we could not have the occasion of a Generall Assembly.

As to the second, He denied that he had abandoned absolutely the preaching of the word, or that he intended so to doe; but was to bestow his travells in preaching, as the ability of his body, and sickness whereunto he was subject, would suffer or permitt. He confessed, that, in the 1563 year of God, he was required by the Kings mother, to be a Lord of the Sessione, which he accepted, with advice of godly and learned men, compting it not repugnant or contrariouse to any good order as yet established in the Kirke; and alledged that diverse others having benefices, have done the like, and are not condemned for so doing; yea, he doubted not to affirm, that as the office itself was allowable, so it should be profitable for the Kirke, that many preachers of the evangell were placed in the Sessione. Item, seeing superintendents and ministers are, and may be temporall judges in other inferior offices, and no fault layed to their charge, he wondered why it should be counted a fault in him only.

As for the latter part of the second article, he answered thus, With pardon and reverence of the Assembly, I may declare, that I never delighted in such a stile, nor desired any such arrogant title; for I acknowledge myself to be a worm of the earth, not worthy any reverence; giving and attributing to my God only, all honour, glory, and reverence, with all humble submission.

To the third article he answered, That it is true, that he had sett ane affection of the fruits of the bishoprick of Orknay to the said Lord Robert, for the yearly payment of certaine dutys contained in his tacke; and albeit the said Lord Robert, for payment of a part of the yearly duty forsaide, assigned to him a certaine pension, which his bairnes had assigned unto them, of the fruits of the Abbacy of Halyrudhouse; of which pension they had confirmation be act of Parliament, and were in real possession without impediment diverse years; with provision also, that in case it shall happen, the pension be evicted from them, the said Lord Robert shall pay to him so mickle silver, victuall, and goods of the fruits of the Bishoprick of Orknay, as extend to the just valuation of the said pension; which thing is done, and permitted universally throughout the whole realme, that any ecclesiasticall person may sett a part of his benefice in tack for the

yearly payment of a juſt duety, and ſo there is nothing bought or ſold in defraud of miniſters : but be the contrar, he being troubled be vertue of letters of horning, at the inſtance of the collectors of the Kirk, and alſo at the inſtance of the ſaid Lord Roberts bairnes, charging him to make double payment, he meaned himſelf to the Lords of Seſſion, deſiring both the parties to be called before them, and to decide who had juſt title ; which action was yet depending before the Lords to his great hurt, for in the mean time his whole living is ſequeſtrate : and in caſe the collectors of the Kirk eviçt, he will get recourſe and payment of the fruits of the biſhoprick ; and that he has made no other plea or impediment be himſelf, or be his procurators.

To the firſt part of fourth article, he answered, That he had no commiſſion to plant or viſite, ſince his entry to the ſaid Abbacy ; but if they would give him a conjunct charge with the ſuperintendent of Lothian, he ſhould ſo travell that they ſhould be ſatiſfied.

As to the ſecond part, he answered, That the whole thrids of the benefice of Halyrudhouſe, are to be paid forth, either to the collectors of the Kirk, or to the Lord Roberts bairnes : and attour the moſt part of the fruits of the two part of the ſaid Abbacy is aſſigned and given forth in penſions to diſerſe perſons, before his proviſion ; and yet he hath payed to the miniſters their ſtipends, as they were wont to receive forth of the ſaid Abbacy, and hath augmented ſome miniſters ſtipends : and alſo, if the plea depending before the Lords were decided, would be as liberall in the ſuſtentation of miniſters as become him, having reſpect to the rent of the benefice ; and withall deſiring, that ſo many miniſters, ſome times Channons of the place, having a great part of the living aſſigned out of certain kirks now altogether deſtituted, might be charged to ſerve rather in the ſaids kirks, then in others, as other Channons doe in other kirks, whereof they receive their living ; and promiſed, if ſo were done, to augment their ſtipends largely.

As to the fifth he answered, He was but of late come to the benefice ; and the moſt part of theſe kirks were pulled down be ſome greedy perſons, at the firſt beginning of the Reformatione, which hath never been helped or repaired ſenſyne ; and few of them may be repaired be his ſmall portion of the living ; but ſpecially the Abbay Church of Halyrudhouſe, which hath been, theſe 20 years bygane, ruinous through decay of two principall pillars, ſo that none were aſſured under it ; and two thouſand pounds beſtowed upon it, would not be ſufficient to eaſe men to the hearing of the

word, and ministratioun of the sacraments. But with their consent, and help of ane established authority, he was purposed to provide the means, that the superfluous ruinous parts, to wit, the Queir and Croce Kirk, might be disponed be faithfull men, to repair the remanent sufficiently; and that he had also repaired the kirks of Sanct Cuthberts and Liberton, that they were not in good case these 20 years bygane: And farther, that there was ane order to be used for reparation of kirks, whereunto the parochiners were obliged, as well as he; and quhen they concurred, his support should not be inlaiking.

As to the last, He denyed that he spake any thing, but that which he spake in the last Asssembly in their own audience. God forbid that he should be a detracter of Gods ministers, for any privie injuries done to him, as he alleged none: if there were any, he would rather burie them, then hinder the progres of the evangell.

As for absenting himself from their preaching, he answered, He only keepest his own parish kirke, where he received the sacraments.

Mr Knox, Mr John Craig, Mr David Lindfay, were appointed to try the sufficiency of these answers, and to report to the nixt Asssembly.

Mr David Lindfay was appointed to present certain articles to the Lords of Session, and to require their answers: The articles and answers follow:

First, The thrids are decerned to pertain to the Ministers, be a law and act of Parliament past *in rem judicatam*, and have received execution of a decreit and sentence of liquidat fumes and victualls; against the which your Lordships, by your dayly practice, use to give no suspension, without consignation of the fumes decerned: and notwithstanding, there are so many suspensions of this execution for the thrids given, that both your Lordships are troubled with the proceffe, and the poor ministers defrauded of that quheron they should live; for remeed quherof, the Asssembly most humbly requireth your Lordships to take such order herein, as that no suspensions be given for the thrids in times coming, except the complainers desiring the suspension, make payment to the collector of so meikle as is out of question, if it stand in difference of the question of the rentals; and consigne in the Clerke of Registers hands, so much more, as shall happen to be decerned, or find caution in Edinburgh responfable therefor; And likewise consigne, or find caution, if he claimeth the whole thrid to be discharged, for the whole: And that none of thir pass upon light causes,

uncalled, and your Lordships are troubled and slandered, that ye doe nothing in the Kirks caufes.

Answer : The Lords will doe fuch diligence to fatisfie this article, as they may goodly.

GEORGIUS GIBSON, Scriba Confilij,
de mandato Dominorum Confilij.

The brethren appointed to refolve questions, exhibite their refolutiones, as followeth :

Question, C.] Quhat fall be done to them that will not forbear the companie of excommunicat perfons. Answer : After due admonitiouns, to be excommunicat, except they forbear.

[Q. If it fhall be thought good, that excommunicatione fhall be orderly fulminat againft the wicked murtherer of my Lord Regents Grace ; and againft all thefe that had any part, art, or counfell therein, or yet were maintainers of the fame. A. The perfone committer is to be excommunicat in all notable tounes ; and the excommunicatione is to be notified in paroch kirks, where there is order ; and the reft are to be proceeded againft, as they may be lawfully convict.

Q. Seeing the prefent eftate of the Kirk, What is now prefently to be defired at the Counfell and Nobilitie, for the weale of the fame ; and if rati-ficatione is to be craved of fuch things as my Lord Regents Grace lately granted to the Kirk. A. Ratificatione of things done by my Lord Regents Grace is to be required ; and farther as the Affembly fhall think good.

Q. If baptifme is to be miniftred to the children of the excommunicat. C.] The children of excommunicat perfons to be receivit be a faithfull member of the Kirk to baptifme.

Q. [If two parties be contracted, the bannes proclaimed, and the day appointed for folemnizatione of marriage before the minifter and congregation, the woman refufe allutterly to take the man, Whither ſhe fhall be compelled or not ; and what fhall be the minifters part in this cafe. A. The matter is to be referred to the Commifars ; and the woman to be punished upon trying of her caufe, according to the order of the Kirke.

Q. What order shall be taken anent abbacies now vacant, and not provided. A. It is to be meant to the Lords by way of supplicatione, that the tithes may be employed to the sustentatione of the ministry.

Q. Shall the single woman committing adultery with a married man, be equallie punished with the man, and compear before the Generall Assembly. C.] A. A single woman committing adulterie with a married man, shuld be equallie punishit [with the man, and receive injunctions of the Generall Assembly.

Q. A woman divorced for adultery committed be her, contracting marriage with another, beareth a child to him, and desireth to proceed to the solemnizatione of marriage, Whither shall the man be permitted to marrie this woman. A. Let her present herself to the Assembly to be punished; and then let her supplicatione be given in, and she shall have ane answer.

Q. What shall be done,] where a man repudiats his wyfe and bairnes without a cause, and no wayes will receive her againe. A. The minister shuld labour for reconciliation; and the partie offendit complaine to the Judge competent.

Q. A promise of marriage made befor the reidars and elders in a reformat Kirk, the parties contractit compeirs before the minister and sessioun, requires the bands to be proclamit; quhilk beand done, the Kirk finds carnall copulation to have followit be confessioun of both the parties: When the Kirk requyres them to proceed to the solemnizatione, the woman refuses. A. Admonishe the partie refuseand to solemnize the marriage; or els to get a decreit from the Judge competent, that they shuld not marrie, under the paine of excommunicatioun.

Q. Persons, after promise of marriage [made before witnesses,] and proclamation of the bands, defyreand to be frie from the bands, no carnall copulation following. A. They shuld be frie, si res est integra, and their inconstancie punishit.

Q. [Two men haveing lyen with two sisters, If any of them may

marrie the daughter of the other man begotten upon another woman, and not upon any of the two sisters before mentioned. A. No impediment found.

Q. If a Minister having a benefice in one shire, and another in another shire, may be chosen to the thirde office, viz. to be a Superintendent, or Commissioner. A. Not, except the particular kirks be provided according to the time.

Q. In respect of the great offences committed in disturbing of the common peace, and breaking the unity which God hath made betwixt the realms, and that be these who have avowed themselves professors of the word of God, who have not allanerly often times committed the forsaide offences, but still to aggrege the same, have received and maintain the rebels of England, despising herein both God, and the present authority : The minister where such enormities are committed, requireth your judgement, What becometh him to doe, and how he shall use himself towards them for safety of his conscience, and avoiding of slander. A. Let him reprove vice, without exceptione of persones, conforme to Gods word prudently.

Q. If any persone having already of the Kirk a sufficient living, and after called to the office of a Superintendent or Commissioner, shall have a new stipende appointed, or rather be content of the old living, if it be sufficient for his office ; or at most to receive such augmentation as the burthen of the office requireth. A. Let this be considered be their discretion, at their electione.

Q. A man having two benefices in fundry shires, and under fundry superintendents, serving for one of them, If he shall have thrid of the other discharged. A. Because this questione hath been moved before, and, as we understand, resolved, we remitt the answere to the sight of the same in the Register.

Q. If it be lawfull for Ministers to leave their vocation, and use uther offices and charges within the commoun weill. C.] A. It is not leifum for Ministers to leave their vocation, and use uther offices and charges

within the commoun weill, without consent of the Kirk; and, in tymes coming, it is neidfull, that all that serves in the ministrie be publicklye inaugurate.

[Q. A certaine man, whose wife was banished of Dundie ten years since, for certaine crimes committed be her, hath begotten a child upon another woman about two years since, not knowing whither his wife was living or dead; for which offense he was punished be the magiftrat; and hath made diligent inquiry, according to the injunctiões given to him, to learne whither she was living or dead, and can come to no certaine knowledge thereof, as his testimonialls bear witness: He requireth now, Whither the Assembly will injoyne him any farther satisfactiõe for his crime, and whither he may have liberty to marry. A. Edicts are to be served for farther searhing of the woman; and farther punishment for proceeding in marriage is to be suspended to the nixt Generall Assembly.

Seff. 11^a.

The Commiffioners appointed in the last Assembly to give answer to my Lord Regents Graces desires, produced the said answers with his Graces promises contained therein; together with the assignation of money, and victualls to the Kings Majesties house, the Regents Graces, and others; both subscribed with his hand.

First, They condescended, That the assignations before granted for the Kings Majesties house, and other common affairs, stand in form as before; and that during the Kirks will.

Item, That the sūmes appointed for my Lord Regents own house, extending to five thousand merks or thereby, which the collector should have paid, shall be paid.

Because thir premises are granted, my Lord Regent promiseth faithfully not to charge the Kirk with any farther deuty of the thrids; but if a superplus remain, the Ministers being paid, it shall be bestowed to such Godly uses, as the Assembly thinketh best, be his Graces advice.

And, to the effect that good payment may be gotten of the whole, my Lord Regents Grace promiseth to travell to the uttermost of his power,

that obedience may be given ; and that the laws made against disobedients shall be executed.

Farther, His Grace giveth power to choofe, or depofe, if need be, their own collectors, and to call them to accompt, when they think good ; without prejudice to the generall compt yearly to be made in the Exchequer.

In like manner, His Grace condescendeth to the particular affignation of Minifters, where they may be conveniently gotten, without prejudging the affignations before granted, and the fumes granted to my Lord Regents Graces houfe ; providing the foresaids affignations, ipfo facto, be difolved, whensoever the affigney obtaineth any benefice fufficient for his ftipend, or that the Affembly fhall think otherwife.

Item, That Minifters, and Superintendents ftipends fhall be modified, and appointed be fuch as the Generall Affembly, having warned his Grace and Counfell thereunto, fhall appoint. C.]

JAMES REGENT.

A. D. M.D.LXX.

THE Generall Affemblic of the Kirk, haldin at Edinburgh, in the Nether Counsell Houfe, the fyft day of Julij 1570; quher were affemblit the Nobilitie, Barronis, Superintendents, Commiffioners of Kirks, Provinces, Townes, and Minifters. The exhortatioun and prayer made be Mr Johne Craig.

The haill brethren presentlie conveyit choofe Mr Robert Pont, Moderatour for this Affemblic.

Seff. 1^a.

[The Superintendent of Fife was delated for negligence in reparation of Kirkes. His excufe was, He could gett no officer of armes to putt in execution letters againft parochiners, where the faid kirks were ruinous. The Affembly ordered the Superintendents, and Commiffioners for planting of kirkes, to charge the Collectors officers within their provinces refpective, to execute letters for reparatioun of kirks decayed, as the faids Superintendents or Commiffioners fhall charge them; who fhall caufe them be fatisfied at the difcretioun of the Affembly, conforme to their diligence and pains taken thereanent.

Commiffion is given to Mr John Robertfone, 'Thefaurer of Roffe, to affift Mr Donald Monroe, Commiffioner of Roffe; becaufe the faid Commiffioner was not prompt in the Scottifh tongue. C.]

Seff. 2^a.

Penitents that for their offences resorts to the Generall Assembly, either to receive injunctiouns, to shew signes of their repentance, or that sould present themselves before the same in linnen cloathes, and receive farther injunctiouns; That they be warnit [by their Superintendents, Commissioners or Ministers,] to compeir the second day of the Assemblie peremptorie.

[Because some, who had once accepted the office and charge of preaching the word, had deserted their calling, the Assembly ordained, That all and sundry Ministers, who hereafter shall accept the said office, shall be inaugurate publickly, conforme to the order appointed in the end of the Booke of Excommunicatione: And] Ministers at their publick inauguration shall protest solemnly, that they shall never leave their vocation any tyme thereafter, under the paine of infamie and perjurie; [and that this be done and execute be Superintendents, and Commissioners appointed for planting of kirkes: And in like manner, That all Ministers already placed before the making of this statute, shall make the like protestatione, in their Synodall conventiones, before the Superintendents or Commissioners, who shall insert the said protestationes, from time to time, in their bookes, ad futuram rei memoriam. C.]

Anent the tryall of yong children, and how they are broght up be their parents in the true religion of Jesus Chryst: It is ordainit, that Ministers, and elders of kirks shall univervallie, within this realme, take tryall and examine all yong children, within their parochin, that are come to nyne yeirs, and that for the first tyme; thereafter, quhen they are come to 12 yeirs, for the second tyme; the thrid tyme to be examined, quhen they are come to 14 yeirs; quherthrow it may be knowin that they have profited in the schoole of Christ, fra tyme to tyme: [And that the names of them that shall be tryed, be written be the Ministers, and elders; and every one of them within their own parochies.

The penitents compearing to submitt themselves to the discipline of the Kirk, were ordained to repair to their owne Ministers respective, who would shew to them the injunctiounes appointed be the Assembly, to be fulfilled for signes of repentance unto the next Assembly; and to compear

in linnen cloathes, bare headed and bare footed, the second day of the next Assembly, to receive farther injunctiones ; and every one of them to bring a testimoniall from their owne Minister, of their behaviour in the meane time.

Others compearing in linnen cloathes, bare headed and bare footed, with testimonialls from their Ministers, or testificacions of their Ministers there present that they had fulfilled the injunctiones appointed to them, were remitted again to their own Ministers respective, to be received to the societie of the faithfull, according to the act of the Generall Assembly, made the second of March 1569, and second Sessione of the same Assembly.

Others summoned be the Superintendents, Commissioners, or Ministers, often times called, but not compearing ; it was ordained, That the sentence of excommunicatione should be reiterat against them who were already excommunicate, and the cause declared wherefore it was so done ; and that they proceed to excommunicatione against others, for their disobedience.

Seff. 3^a

Mr John Craig, John Row, and David Lindfay, Ministers, Mr Thomas Makcalgean, Advocate, David Forrest, Generall of the Congie house, Mr James Lawfone, Subprincipall of Aberdeen, were appointed for decision of questions.

It was statut and ordained, That as it pleased God of his mercy to erect the authority of the Kings Majesty, with publick consent of the Estates in Parliament, even so the samen ought, and should be universally obeyed throughout this realme, without acknowledging any other authority, whatsoever title be pretended.

Moreover, Ministers are commanded, in their publick sermons, to pray publickly for the preservation of His Majesties person and authority ; with certification, that all such as shall be found negligent or disobedient, shall be punished as the Assembly shall think expedient.

And farther It was declared, That if any subject or subjects of this realme, of what estate soever they be, shall presumptuously take upon them to inhibite any Minister to obey this ordinance of the General Assembly, what cloke or colour soever he or they pretend ; or by minacing make

impediment unto them, so that without fear Ministers may not serve God in their vocation; that, in that case, such troublers shall be summarly, upon the notoriety of the fact, excommunicate, and shall be holden rotten members, unworthy of the Society of Christs body.

And last, The Assembly commandeth all Superintendents, and Commissioners of Provinces, to cause this determination to be published in all the parochie kirks, that nane hereafter pretend ignorance.

Item, It was ordained, That this act and statute should be printed be Robert Likprivick, that no man pretend ignorance. C.]

It is ordainit, be reason of the great troubles laitlie risen in this realme, be defection of some fra the Kings Majesties lafull authority, That certain brethren be sent fra the Kirk, to all Erles, Lords, Barrones, and Gentill men quhatsoever, that hes made the forsaid defectioun, and travell with them be all meanes possible, to reconcile them to the lawfull obedience of His Majestie; and to certifie them that disobeyis, that the hail Kirk will use the sword against them, quhilk Gods word hes committit to them. Commissioners for that effect: Mr Andro Hay, [Commissioner of the West,] and Mr David Lindesay, [Minister of Leith,] to my Lord Dukes Grace, the Erles of Argyle, Eglintoune, Cassills, my Lord Boyd, and uther Baronis and Gentill men that they can goodlie meit with within the West partis: The Laird of Dunne, Superintendent of Angus and Mernes, to the Erle of Craufurd, the Lord Ogilvie, and their assisters. Quhilks Commissioners were commandit to report their ansuers to the nixt Generall Assemblie.

[Power was given to Mr Robert Pont, Commissioner of Murray, with the assistance of the Kirke of Elgine, to proceed, after due admonitiones, to excommunicatione against Patrick Bishop of Murray.

It is ordained, That all Superintendents and Commissioners to plant kirkes, with such as they shall choose in their Synodall conventiones, shall hear the compts of the Collectors of their owne provinces, at such day and place as shall please them to appoint to the saids Collectors; and report to the nixt Assembly, quhat diligence and fidelity they shall find in them: and that they shall have power to depose, and retaine the saids Collectors, as occasione shall serve, conforme to the act of the said Assembly made of before thereanent. C.]

no wise papistry. Mr John Rutherford protested, in so far as the answers to thir questions is not sufficient, that he may have remeed at the nixt Affembly, or otherwise, &c.

Q. A man having just occasione to suspect his wife of adultery, be common brute and otherwise, giveth in a complaint to the Sessione of Edinburgh, craveth tryal; but afterward moved with foolish pitie, taketh up his complaint, and desireth the Sessione of the Kirke to be silent and keep secret: Thereafter, in the same mans house, when he is furth of the countrey, ane adulterer is deprehended with his wife be the Magistrate, at ten hours at even: The husband returning compleaneth again to the Sessione of the Kirke, craveth the last slander to be tryed, which was tryed: Moreover, the husband accuseth the adulterer before the Justice; and he is convict, be ane assise, of adultery committed with his wife: and sicklike he calleth his wife before the Justice. Now, in the meane time, before the day of her compearance, it is bruted, and vehemently suspected, that the husband is already reconciled with his wife, or to be reconciled, before satisfaccione be made to the Kirke; and so is already, or intendeth to be a patron to his wifes adultery, and therethrow to committ lenocinium. What order shall be taken with this husband reconciled with his wife, without satisfaccione made be her; or, What order shall be taken with such men as clocke the adultery of their wives, notoriously and publickly known. C.] A. Cloakers of adulterie sould be callit, and convict: and if it be found, that they have cloakit publick adulterie, after their knowledge, then let the rule have place. *Consentientes et agentes pari poena puniantur.*

[Q. Whither the Communion may be ministred upon Pasch day, or not. A. Why not, where superstitione is removed.

Q. Whither a man deflouring a virgine shall be constrained to marrie her; or, if paying her tocher, according to the discretione of the Kirke, he may be free to marrie whom he pleaseth in the Lord. A. Let the Kirke suite the Magistrats to consent to this law. C.]

Q. When a woman beares a bairne to a certaine man, and in the tyme of her birth, before the midwyfe, alledgis the bairne to be this mans, and beand callit befor a Judge beand ready to sweare the same; and this man

in my Lord Chancellours name, how his Lordship had understand, that in the contraverfie among them in St Androes, there was conteinit some heids tending to treason, and agains the Kings Majesties autoritie: Therfor reqyrit the Kirk presentlie assemblit, to superceid all decifion in that matter, concerning the Kings Majestie, untill the tyme the Nobilitie conveyne, quhilk will be within ten dayis; befor quhom that heid aucht to be fichtit: notheles that the Kirk proceed to fick things therin, as pertaines to their awin jurifdictioun. To the quhilk protestatioun the Kirk aggriet.

The said day the haill Kirk presentlie assemblit, in ane voyce and mynd, gives full commiffion and power to the honorable, their loving brethren, Johne Erkin of Dunne, Knyght, Superintendent of Angus and Mernes, Mrs Johne Wyrhame, and Johne Spotifwood, Superintendents of Fyfe, and Lowthiane respective, Mr James M'Gill of Rankeillor-nether, Clerk of Register, and Counsellour to our Sovereine Lord, Mrs Johne Knox, and Johne Craig, David Lindesay, of Edinburgh and Leith Ministers, the Provest of Dundie, Mr Thomas M'Calzean, the Lairds of Balvaird, Spot, Braid, Carnall, Dreghorne, Lundie, Howstoun, Drumquhafil, Coldonknowis, Carden, Fawdonfyde, Thornetoun, Inchbrakie, David Forrest, Generall of the Congie, David Ramfay of Dundie, Patrick Murray in St Johnstoun, and Robert Campbell of Kingeancleuch, or any aucht, or fevin of them, to compeir in Edinburgh, the xij day of this moneth of July, with continuation of dayes, sa oft as the Nobilitie of this realme fall conveyne, betuixt this and the nixt Generall Assemblie: And ther, in name, and behalfe of the haill kirks in Scotland, propone and present to the said Nobilitie, articles, heids, supplicatiouns, and complaints, such as the said Kirk hes already pennit and delyverit to their faids brether, or heirafter fall, before the nixt Generall Assemblie, delyver; most humble in their names, To requyre ansuers, and grant to their articles, and supplicatiouns, and with redresses of their complaints, according to equitie and justice: To assist, concurre, and consent to all and quhatfomevir fall be treatit in the said Conventioun, tending to the setting forward of the glorie of God, preaching, and maintaining of true religioun, within this countrey, the Kings Majesties autoritie, commoun weil, and autoritie of this realme: As also, To take cognition in all and quhatfomevir complaints, supplicatiouns, and requeifits of brether, specially remittit to them be this Assemblie: And quhatfoevir beis done be them in the premiffes, To

A. D. M. D. LXX.

THE Generall Affemblic begun and haldin at Edinburgh, the fyft day Marche 1570 : In the quhilk were prefent the Barronis, Superintendents, Commiffioners to plant Kirks, Commiffioners of Provinces, Univerfities, Townes, Kirks, and Minifters. Mr George Hay was chofin Moderatour be fuffragis, to make prayers in this Affemblic ; and exhortatioun in the beginning of the nixt.

Seff. 1^a.

[Mr Knox prefented the Regents letter, wherein he craved the Affembly to be tranflated from Edinburgh to Stirling, or Glasgow. The Affembly was willing ; but defired his Grace to hold them excufed, becaufe the Barons, Gentlemen, and Commiffioners, fome of them wanted horfe, fome of them had other impediments ; The perfons fummoned were warn- ed to compear at this place.

Some were appointed to revife the Commiffioners diligence in executing their commiffion. C.]

The Kirk affemblit ordaines all Superintendents and Commiffioners to plant kirks, to prefent heirafter their bookes of their vifitatiouns, every ane within their province refpectiv, to every Affemblic heirafter following, to be fichtit and confiderit be fick brether as fall be appointed therto, fra Affemblic to Affemblic ; to the effect the Kirk may underftand their diligence in executing their offices within their provinces.

The Kirk finds fault, that Mr Johne Rutherford, minifter at Cultis, hes not done diligence in ferving the laid cure, at leaft certaine tymes in the

Johne Areskine of Dun, Knight, Superintendent of Angus and Mernes, Mr John Winram, Superintendent of Fife, Mr John Spotswood, Superintendent of Lothian, Mr George Hay, Commissioner of Aberdeen, Mr Andrew Hay, Commissioner of Cliddisdail, Mr David Lindsay, Commissioner of Kyle, Carriēt and Cunninghame, Mr John Row, Commissioner of Galloway, John Duncanfon, Minister of the Kings Majesties household, Mr William Lundie of that ilk, James Johnston of Elphinton, Alexander Foster of Carden, John Lockart of Bar, Hugh Wallace of Carnall, Mr John Fullerton of Dreghorn, Mr John Preston, one of the Commissioners for the town of Edinburgh ; or any ten of them, To compare before my Lord Regents Grace and Counsell in Stirling, the last day of this instant month, or any other place, where my Lord Regents Grace shall appoint, due advertisement preceeding ; and there, in the Kirks name, most humbly propone, shew and declare articles, heads, supplications and complaints, delivered to them be the Kirk, most humbly requesting for answer thereunto ; conferr, reason and conclude with his Grace and Counsell, upon such heads and articles, as shall be proponned to them be his Grace and Counsell foresaid, according to the Assemblies instructions given to their said brethren ; assist, concurr and consent to all and whatsoever other things that shall be treated, tending to the glory of God, setting forward the preaching and maintaining of his true religion within this countrey, the Kings Majesty, and common wealth of this realme : And whatsoever happeneth to be done be them in the premisses, to report the same to the nixt Generall Assembly of the Kirk, to beginn in Stirling, the 6 day of August nixt to come : stable and firm holding, and for to hold all and whatsoever the saids brethren, or any ten of them, in the premisses conclude to be done. Given in the Generall Assembly of the Kirk, and second session thereof. Subscribed be the Clerk of the same, day, year and place foresaid. C.]

Articles pertaining to the Jurisdiction of the Kirk, to be proponit to the Regents Grace and Secret Councell, and focht to be appointit be them.

1. First, That the Kirk have the judgement of true and false religioun, or doctrine, heresies, and sicklyk, annexit to the preaching of the word and ministratioun of the sacraments.

2. Election, examination and admiffion of them that are admittit to the ministrie, or uther functions in the Kirk, charge of fauls, and ecclesiasticall benefices, the suspension and deprivation of them therefra for lawfull causes.

3. All things concerning the discipline of the Kirk quhilke stands in correctioun of manners, admonitions, excommunications, and receiving to repentance.

4. The judgement of ecclesiasticall matters betuixt persons that are of the Kirk, and specially among them that are constitute in the ministrie, asweill concerning beneficiall causes as uthers.

5. Jurisdiction to proceed be admōnitions to the proces of excommunication, if neid beis, against them that robis the patrimonie of the Kirk pertaining to the ministrie, or utherwayes intrometts therewith unjustlie, quherby the ministrie is in danger to decay be occasion of the povertie of the ministrie.

6. And, Because the conjunctioun of marriages pertaines to the ministrie, the causes of adherents and divorcements aught also to pertaine to them, as naturallie annexit therto.

[The injunctions given to their brethren the Commissioners, sent to my Lord Regents Grace and Counsell, to be proponed, concluded and reasoned upon.

In the first, that his Grace and Counsell grant and consent, That no disposition of any benefice or presentation be made of any person, without the admision and collation of the Kirk, following upon just presentations; and if any disposition of benefices be made to any person or persons, that the same be discharged and brought back again, to the end that such have no place in times coming.

Item, That some order be taken with some horners, and persons disobedient, that payment may be had of them that disobey.

Item, That his Grace and Counsell approve the jurisdiction of the Kirk, conform to the particular information given thereupon.

Item, That such horrible crimes be punished, as provock Gods wrath against the realme, such as idolatry, incest, adultery and other like hainous crimes; and Commissioners of Justice be appointed in every province for that effect.

And in like manner, That ye agree, conferr and conclude with his Grace and Counsell, touching the pension concerning the Kings Majesties house; and also concerning my Lord Regents Graces house, anent the pension to be appointed thereto.

And, finally, To reason, conferr and conclude with his Grace and Counsell foresaid, concerning the appointment made betwixt the Kirk and my Lord Regents Grace, now resting with God, as shall be thought expedient, and agreeable to Gods glory, to the comfort and utilitie of the Kirk, the preservation of this common wealth, and due obedience to the Kings Majesty our Sovereign.

In the first, That his Grace would be content to take horners for payment.

Secondly, That he be paid, *secundum ratam*, according to the payment of ministers.

Thirdly, That he will discharge, in this respect, the superplus, if any were, to be employed in pious uses.

Item, To give answer to my Lord Regents Grace to Makquhyn and

his companions; and als for preservation and upholding of the Kirk of Glasgow, and upholding the leid thereof.

Item, To remember Mr Robert Hammilton, minister of Sanct Andrews, for payment of his stipend. C.]

Adulterers, incestuous persons, and homicides, [and other hainous offenders, requesting to be received to publick repentance,] were ordainit to repaire to their awin Ministers; there to receive their injunctions, quhill the nixt convention Synodall of the Superintendents and Commisionars of their awin provinces respectivé; and there to present themselves in linnen cloathes, bareheidit and barefootit, humblie requiestand the Kirk there affemblit, to receive them to the societie of the faithfull, with farther injunctions; and to bring their testimonialls from the ministers, of their behaviour in the meane tyme. [Others compearing in linnen cloathes, and submitting themselves to farther injunctions, the Assembly ordaineth them to be received in their own kirks, conform to the acts made thereanent. C.]

Sessio 3^a.

Forfameikle as it hes bein ordainit be the Generall Assemblies, That all adulterers, murtherers, incestuous persons, and uthers committers of hainous crimes, first sould present themselves to the Generall Assembly, there to receive their first injunctions; and at the nixt thereafter following to present themselves in linnen cloathes, &c.: And forfameikle as diverse of the saids offenders partlie are farre distant fra the places of Generall Assemblies; uthers, for povertie, and deadly feids, may not, and darre not travell through the countrey to present themselves before the saids Assemblies, &c.: For thir causes, and uthers confiderations moveing the Kirk presentlie affemblit, they statute and ordaines, That all sick offenders fall be callit heirafter be the Superintendents and Commisioners of provinces, to compeir befor them in their Synodall conventiouns, to be haldin be them twyse in the geir; there to be receivit, and take their injunctions, conforme to the ordour usit befor be the Generall Assemblies, in all forts.

[The Diocie of Cathness craveth a superintendent, or commissioner to plant kirks, or visite kirks already planted. The Assembly not finding a man fitt, for the present, for such a charge, in that countrey, requested

John Gray of Fordell, who had taken great pains and travells before in the oversight of the said countrey, to continue in his supporting of the said diocie, with the assistance of the Bishop thereof, head Commissioner of the same, till the next Generall Assembly.

The Assembly ordained the Superintendent of Angus and Mernes to visite Dunkell, plant ministers there, expell idolatry, visite schools and colledges, as he useth to doe in his own bounds; and exercise and use all other things pertaining to the office of a Superintendent.

Mr John Row, Commissioner of Nithisdail and Galloway, Mr David Lindfay, Commissioner of Kyle, Carict and Cuninghame, Mr Andrew Hay, Commissioner of Cliddisdail, Ranfrew and Lennox, were continued in their commissions respectivé, till the next Assembly.

Mr George Hay, Commissioner of Aberdeen, required to be disburthened of his office, in respect there was no obedience in these parts, and Ministers were not answered; yet the Assembly requested him to continue till the next Assembly.

The Assembly directed this letter following to the Commendator of Halyrudhouse.

The Superintendents of Kirks, and Ministers of the reformed Kirk within Scotland, assembled in Edinburgh, the 5 day of March 1571, to the right worshipfull and their loving brother, Lord Robert Steuart, Commendator of Halyrudhouse, with grace, mercy, and peace from God the Father, through our Lord Jesus Christ, with continuall guiding of his Holy Spirit, for salutation.

Forasmeikle, beloved in the Lord Jesus, as we wrote to your Lordship, the 25 day of March 1568, to assist our brethren Commissioners to plant kirks in Orknay and Zetland; as also to further our collector of the thrids in these bounds for the sustentation of the Ministry, as your Lordship would declare yourself a fether forward of the kingdome of Jesus Christ, and have us to call to God for your prosperity, &c. And because we have received advertisement from Mr James Annand and Gilbert Foulfie, our Commissioners in these bounds, of your Lordships continuall assistance to them in executing of their office, as also of your Lordships support to our said collector; for the which we are not able to render thanks sufficiently;

God shall recompence to your Lordship comfort : This present is most humbly to request your Lordship, That as ye have begunn to declare yourself a patron of the Kirk in these bounds, even so your Lordship would continue to the end : and assure your self, if men should happen to be unthankfull, as God forbid, yet should the eternall God, who leaveth not a cup of water given to one of his, for his sake, unrecompensed, bless your Lordship and your posterity. Yet farther, we most request your Lordship, when our said brethren Commissioners shall signify to you such as are manifest adulterers, incestuous persons, murtherers, or others committers of hainous crimes, which provock the wrath of God to be poured out in this realme, that your Lordship would punish the said faults, according to Gods laws, and acts of Parliament ; that wickedness may be taken away : In doing whereof your Lordships remembrance and memory shall be immortall, and posterity to come shall praise God in your doings. What your Lordship shall doe in the premisses, we look to be advertised by your Lordship, or our said brethren Commissioners, at the next Assembly to beginn at Stirling the 6 day of August ; where we look for one of them with full advertisement : And thus we committ your Lordship to the protection of the Omnipotent. Given in the Generall Assembly, and thrid session thereof, the 6 day of March 1570. Subscribed be the clerk of the same, at our command.

The Assembly ordained Mr John Knox, John Row, Robert Hamilton, John Craig, William Christefone, Robert Pont, and James Lowson, of Edinburgh, Perth, Sanct Andrews, Dundie, Murray, and Aberdeen, Ministers respectivé, to meet upon the decision of questions, the morne at 8 hours ; and to report their decisions, betwixt and the end of the Assembly, to be insert and registrat.

And because the Assembly is yearly troubled with solutions of questions, of which some are unprofitable, others may be easily resolved by Superintendents and Commissioners to plant kirks, with the assistance of their Ministers, in their Synodall conventions to be holden twice every year, &c. Herefore C.] The hail Kirk assemblit ordaines, That all questions hereafter be proponit and presentit to the Superintendents and Commissioners forsaids, in the said Synodall conventions, there to reseaff their solutions : And if any question happins to be hard for them that fall happin to be at the said conventions, then, and in that case, that the Superintendents and Commissioners of kirks present the said hard questions

to the Generall Affsemblies, there to receive their solution in their rowme, according to the rule : With certification, that no questions heirefter fall be receivit in Generall Affsemblies from particular Ministers. [The same order to be observed anent complaints in all forts, &c.]

Sessio 4^a

Forasmikle as trouble and slander hath risen for solemnizing of marriages in private houses, and that be ministers to whose paroch or kirk the contraveeners pertained not, wherethrough there hath been controversy in particular kirks and sessions, for satisfaction making for transgression of the publick order of the Kirk, &c. ; for eschewing of the which, C.] The Kirk assembled statutes and ordaines, That all marriages be made solemnlie in the face of the congregatioun, according to the ordour publicklye established ; and als inhibites all Ministers and Exhorters, that nane of them solemnize marriages of any persons of uther congregatiouns nor their awin, without sufficient testimonials from their Ministers, or els licence askit and givin be the contracters, under the pains established before agains the Ministers ; and the contracters, with their parents, to make publick repentance at the commoun pillar of repentance, at the discretioun of their awin kirks.

[Mr Archibald Douglas, one of the Senators of the Colledge of Justice, having a presentation, under the Privy Seal, of the personage of Glasgow granted and givin be the Regent of good memory ; wherein he required the Assembly to give their letters testimonials, conform to his said presentation : The Assembly remitted him to Mr Andrew Hay, Commissioner of Cliddisdail, to receive his answer. The Commissioner refused to give letters testimonials ; because the presentation was not made according to the order agreed on betwixt my Lord Regents Grace of good memory, and the Assembly. Mr Archibald protested, that he might hear a reasonable cause, why they refused. The Assembly alledged the reason before mentioned ; not the less they offered to cause their solicitor to deliver to him a form of presentation, such as the Kirk hath used to give their testimonials upon. From their refusal Mr Archibald appealed, verbo tantum, to the Parliament, the Kings Majesty, and his Counsell, omni meliore modo.

and appoint publick fasting, if it fall be thocht necessar ; and als that they appoint certaine brethren to travel for vnitie and concord among the nobilitie of this realme.

Compeirit in Affemblie Mr Robert Wynrhame, collector of Fyffe, and shew how he was purgit be ane condigne affyse befor the civill magistrate, for the slaughter of Henrie Kairnes, citizen in St Androes : Not theles because the blood was shed against his will, always he willinglie offerit to the Kirk to vnderly quhatsoever vther thing they wold lay to his charge for satisfactioun of the Kirk. The Kirk ordaines Mr Robert Hamiltoun, minister of St Androes, to declare after his sermon vpon a Sunday, the purgation of the said Mr Robert of the slaughter ; and therfor call vpon him to repare befor the pulpitt, exhorting him to enter in consideratioun with himself, according as is containit in the Booke of Excommunication ; and thereafter to humble himselfe, aske God, the congregatioun, and partie pardon, and all vthers that were slanderit with the fault.

Anent excommunicat persons for non-adhering to the establischt religioun, and not joynit therto of befor, get not theles presentlie of their awin frie will submitts themselves, and requyres to be receivit to the societie of the faithfull : The Kirk ordaines the saids persons to be receivit be their minister, in low and humble habite, with sackcloth, observing the ordour prescrivit in the Booke of Excommunication, in all ther points.

[Mr Robert Lumfden of Clowayeth craved a defalcation of the thrids of the vicarages of Logie-Buchan and Cuthny, in respect of inlaiking of corpus presents, upmost cloaths, and pasch fynes, &c., which was granted ; and ten merks yearly defalked of the thrids of the vicarage of Logie-Buchan ; and 20 merks of the thrids of the vicarage of Cuthny.

The brethren appointed for decifion of questions, produced their solutions, as followeth :—

Q. Whither the Superintendents may or ought to take up the particular dilations, in their chief and metropolitan kirks, where good order is, and execution of discipline ; and the weekly affemby be the ministers, elders and deacons thereof, observed for the same cause. A. Lett the Superintendents and the Kirk agree therupon ; not stopping the discipline any way.

per verba de futuro, vel verba de præfenti; or ſhould no promiſe be made till the ſolemnization. C.] A. Promiſe of marriage, per verba de futuro, ſhall be made, according to the ordour of the reformed Kirk, to the miniſter, exhorter or reidar; takeand caution for abſtinence till the marriage be ſolemnizit.

If a man raviſch a woman againſt her will, and her parents will, and ſtrike her parents under ſilence of night, and the magiſtrates will put no correctioun therto: Quhither if the Kirk ſould proceed with monitours and excommunication, to ſatiſſie the ſlander. It is lawfull.

[Q. What puniſhment ſhall be inflicted on ſuch miniſters as reſuſe to be inaugurat in the miniſtry. A. If they will not be received according to the order takin by the Kirk, lett them not be admitted. C.]

Quhat ordour ſhall be takin with her quho committing fornication with a man, dois ſuffer the ſame man heirafter to marrie her awin ſiſter; and heiring the bands proclamit wald not reveile the impediment, but be conceilling of the cryme, was guiltie of the inceſt following. Both he and ſhe to be puniſhit according to the diſcipline of the Kirk, bot cheiſie the man; and the ſecond cannot be his wyfe.

Quhat ordour ſhall be takin with them that impugnes proclamation of bands, and cheiſie be infamie, and proves not. Let ſick perſons be puniſchit, according to the diſcipline of the Kirk, as infamers.

It is altogether unlawfull be any miniſter of Gods word, to receive any benefice be the preſentation of a laik perſon, under paction and condition made with the patron therof, tending to ſymonie, viz. that the patron have the great part of the teyndis, and the miniſter the ſmall part therof.

[When the miniſter cometh to the Generall Affemblies, with commiſſion of his kirk, or for other needfull affairs, or chanceth to fall in ſickneſs: Quhither if the Superintendent ſhall provide for ſome other to occupy his place, chiefly within burrowes and towns. A. Ordains the ſuperintendent to take order that the kirk be not deſtitute. C.]

Quhat ordour ſhall the ſuperintendent take with a man that hes futed

A. D. M.D.LXXI.

THE Generall Assemblie begun and haldin at Stirling, the vj day of August 1571 : In the quhilk were present the Superintendents, Commissioners to plant Kirks, Barrons, Ministers, Commissioners of Provinces, Townes, Univerfities, and Kirks. Mr Gilbert Gardin Minister at Fordyce was chofen Moderator.

Seff. 1^a.

[Mr James Lawfon, Subprincipall of Aberdeen, David Wemes, John Dykes, James Melvill, Patrick Balfour, Archibald Keith, Minister at Peterhead, were appointed to try the Commissioners books of their visitations fince the laft Affembly ; and, after triall, to report quhat they find, before the Affembly be diffolved.

The Affembly exhorted earnestly all and fundry the Superintendents and Commissioners to plant Kirks, to be circumfpect and warie in giving their letters testimonials to any persons presented to benefices, except to fuch allenerly as they perfectly fould know, due examination preceeding, to be able to instruct and teach fincerely in the Kirk of God, as they would anfwer, firft to God, and thereafter to his kirk.

Seff. 2^a.

Mr Patrick Adamfon fent a letter to the Affembly, containing his anfwer anent his reentry to the miniftry. The Affembly ordained the Commif-

tioners appointed to speak to the Lord Regents Grace, before or at the next Parliament, to take order with the contents of his letter, and to report what they shall happen to doe therein to the next Assembly.

The same day, Mr Knox his letter sent to the Assembly was read : The tenor whereof followeth. C.]

The mightie Spirit of comfort, wifdome, and concord [in God] remaine ever with you.

Deare Brethren,—If abilitie of bodie wald have suffered, I fould not have troublit you with this my rud dytement. I have not forgot quhat was laid to my charge be famous lybells the last Assembly, and quhat a brag the adverbaries made personallie to accuse me at this Assembly, quhilk I pray you patiently to heare, and judge of me as ye will ansuer to God ; for vnto you vnto that heid submitt I my selfe, being affurit that I neither offendit God, nor yet good men, in any thing that hitherto hes bein laid to my charge. And now, brethren, because the [dayly] decay of naturall strenth threatens unto me certaine and sudder departure fra the miseries of this lyfe ; of love and conscience I exhort you, ye, in the feare of God, I charge and command you, that ye take heid to your selvis and the flock over the quhilk God has placit you pastours. To discourse of the behaviour of your selves, I may not ; but to command you to be faithful to the flock, I dare not cease. Unfaithfull and traitours to the flock shall ye be before the Lord Jesus, if that, with your consent, directlie or indirectlie, ye suffer unworthie men to be thrust in into the ministrie of the Kirk, under quhat pretence that ever it be. Remember the Judge befor quhom ye must make account, and resist that tyrannie as ye wald avoyd hells fyre. This battell, I grant, will be hard ; bot in the second it will be harder ; that is, that, with the lyke uprightnes and strenth in God, ye gainstand the mercileffe devourers of the patrimonie of the Kirk. If men will spoyle them, let them doe it to their awin perrill and condemnioun ; but communicat not ye with their sins, of quhat estate soevir they be, neither be consent nor yet be filence : But be publick protestation make this knowin unto the world, that ye are innocent of sikk robbrie, quhilk will, or it be long, provocke Gods vengeance on the committers therof, quhereof ye will feik redresse of God and man. God give you wifdome and stout courage in so just a cause, and me a happie end. Of St Androes, 8 August 1571.

Your brother in Christ Jesus,

JOHNE KNOX.

[This letter was read, considered with mature deliberation and allowed in all points; with firm purpose to proceed and doe according to the godly counsell contained therein, &c. touching the affairs of the whole Kirk. And, as concerning his own part contained in the said letter, the Affembly ordained all persons to be warned at the Tolbooth door, that had or pretended to have any thing to lay to the charge of the Superintendents or Ministers, either presently conveened or absent from the Affembly, to compear before the dissolving of the same and accuse, if they had any just matter; but chiefly these that gave infamous lybells at the last Affembly holden in Edinburgh, in the moneth of March last by past; promising to hear their accusations, to try the same and to minister justice therein, in so far as in them lyeth, according to Gods word.

The Affembly ordained all collectors to give up the names of all persons who intromett with the thrids of the kirks, and make no payment thereof, with the executione of the letters of horning against them. C.]

Seff. 3^a

The haill Affemblic concludit, that certaine brethren, Commissioners, fall passe to my Lord Regents Grace, Counsell, and Parliament, to reason and conclude upon the heids, articles and defyris presentit in his Graces name to this Affemblic; to propone, humblie requiest and defyre, in the Kirks name, the granting of lick heids, articles and redresses of complaints as fall be given to them be the Kirk, the ane and the vther always to be concludit on, conforme to the instructions to be delyverit to them. Commissioners, Johne Erskine of Dun, knyght, Superintendent of Angus and Mernis, Mr Johne Spotiswood, Superintendent of Lothiane, John Wyrhame, Superintendent of Fyfe, John Row, Commissioner of Nithisdaile and Galloway, Andro Hay, Commissioner of Ranfrew and Lennox, George Hay, Commissioner of Aberdeine and Banfe, David Lindesay, Commissioner of Kyle, Carrick and Cuninghame, David Fergusone, of Dumfermling, John Dunkesone, of the Kings Majesties house, ministers, Johne Ogilvie of Innerquharatie, Knyght, Mr William Lundie of that ilk, James Jonstoun of Elpheistoun, William Cunighame of Cunighameheid, Hew Wallace of Carnvall, Thomas Kennedy of Bargany, John Schaw of Grinock, Alexander Forrester of Carden, or any

in time coming, whill he be lawfully discharged ; and sikklike the rest of all the thrids and other rents pertaining to the collectorie, within the saids bounds, of all years bygone, resting adebted and unpaid ; acquittances and discharges thereupon to make, give and subscribe ; and, generally, all and fundry other things to doe, exercife and use, that to the office of collectorie in fuch caufes of law or confuetude is knowen to pertain : firm and stable holding, and for to hold all and whatfomever thing the said collector in the premiffes lawfully leads to be done ; providing alwise that he use the said office of collectorie and beheave himself therein, according to the injunctions given to him thereupon ; and make compt, reckoning and payment of his intromiffion after the form and tenor thereof, and according to the act made upon his offers, the time of his acceptation of the said office. Given, &c.

A. D. M.D.LXXI.

THE Convention of the Kirk haldin in the Kirk of Leith, 12 January 1571 : In the quhilk were presert the Superintendents, Barrons, Commiffioners to plant kirks, Commiffioners of Provinces, Townes, Kirks, and Minifters. Mr Gilbert Gairdin continuit Moderator.

[Upon the 12 of January there was a Convention of Superintendents, Commiffioners, Minifters, Commiffioners from Towns and Kirks, in Leith, whose names doe follow, Johne Arekine of Dun, Knight, Superintendent of Angus and Mernes, Mr John Spotswood, Superintendent of Lothian, Mr John Winrame, Superintendent of Fife and Stratherne, Mr David Lindsay, Commiffioner of Kyle, Cariet and Cunninghame, Mr Robert Pont, Commiffioner of Murrey, Mr Andrew Hay, Commiffioner of Clid-difdail, Ranfrew, Lennox ; Commiffioners of Provinces, Towns and Kirks, Robert Grahame of Montrose, Mr James Halyburton, William Chrifefon for Dundie, Mr John Preston, Adam Fullerton of Edinburgh, John Anfruther of that ilk, John Beton of Balfour, Patrick Kinnimouth for Fife, Mr William Lundie of that ilk, Thomas Scot of Abbotshall, Mr John Young for Irving, James Dalrymple for Air, James Cockburne and John Gray for Haddinton, William Lawder of Hawtoun, Knight, Robert Fairley of Braid, James Rig of Carbarrie, James Johnftoun of Elphinfon for Lothian, Andrew Ker of Fadownfide for Teviotdail, Walter Cant and Mr William Balfour for the Kirk of Leith, Mr James Wilky for the Univerfity of Saint Andrews ; Barons, Thomas Kennedie of Barganie, John

Lockart of Barr, Hugh Wallace of Carnall, Hugh Montgomerie of Heffilhead, John Neilson of Craigaffie; Ministers, Mr David Lindsay for Leith, John Duncanson for his Majesties house, Mr Andrew Simpson of Dumbar, John Brand of Halyrudhouse, Mr James Carmichael of Hadinton, Alexander Forrester of Tranent, William Sanderfon of Whittingham, William Harlaw of St Cuthbert, Alexander Blackhall of Cranston, John Burn of Muffilburgh, John Durie of Restalrig, John Clapperton of (Caldstreme?), Mr Thomas Cranston of Peebles, Mr Peter Primrose of Machlin, Mr John Inglis of Ochiltrie, Mr David Wemes of Glasgow, George Scot of Kirkaldie, Mr William Edmiston of Cargill, Robert Grahame of Abertill, Mr John Rutherford of (Quilt?), Mr William Clerk of Anstruther, David Ferguson of Dumfermling, Peter Blackwood of (Salling?), John Dykes of Culrose, Mr James Panton of , Mr Robert Montgomerie of Dumblane, Mr George Lesly of Kilconquhar, Mr James Melvill of Menmure, James Anderfon of Kettins. C.]

Sessio 2^a

The brethren presentlie conveyit all in ane voyce concludit, That this present Conventioun shall have the strength, force and effect of ane Generall Assemblie; and that all things be treatit and endit heirin, that may goodlie be done and useit to be concludit in any Generall Assemblie: Not theless, that all sicker brethren as may goodlie travell, conveye to the Generall Assemblie to begin in St Androes the saxt day of Marche next to come; and the Moderatour to continue to that tyme, and make exhortatioun, [as before is ordained] according to the rule.

Sessio 3^a

[The brethren assembled, in one voice and mind, gave their full commission and power to the honourable and their beloved brethren, John Areskine of Dun, Knight, Superintendent of Angus and Mernes, Mr John Winrame, Superintendent of Fife and Stratherne, Mr William Lundie of that ilk, Mr Andrew Hay, Commissioner of Cliddisdail, Mr David Lind-

say, Commiffioner of Kyle, Mr Robert Pont, Commiffioner of Murrey, Mr John Craig, one of the minifters of Edinburgh, or any four of them, to compear before my Lord Regents Grace and fo many of the Lords of Secret Counfell as his Grace fhall appoint, in Leith this infant moneth of January, and there, in the Kirks name, moft humbly propone, fhew and declare the articles, heads, fupplications and complaints delivered to them be the Kirk prefently affembled, moft humbly requesting for answer thereto ; to conferr and reafon with his Grace and counfell forfaid, upon fuch heads and articles as fhall be proponed to them be his Grace and Counfell, and to conclude therein, conforme to the inftructions given to them be the Kirk, &c., and to report the faids heads and articles with their conclusions thereupon to the nixt Affembly, to begin at Sanct Andrews the 6 of March nixt to come ; to the effect the fame may be infert among the Acts of the Generall Affembly, &c. : firm and ftable, &c.

Item, Ordaineth the faids brethren to pen the heads and articles for the Kirk ; and to deliver the double of them to the clerk, to be regiftred in the Register of the Affembly.

Seffio 4^a

Ordained, That William Chriftefon, Minifter of Dundie, warn John Calder of Aflowan, Collector of Aberdeen and Bamff, to refort to the nixt Affembly, to give ane account of his intromiffions fince his entry to the faid office, and to answer to fuch things as fhall be laid to his charge, under the pain of deprivation from his office ; and Mr George Hay, Commiffioner for the faid countries, to compear before the nixt Affembly, to give account of his diligence in execution of his commiffion.

Seffio 5^a January 17.

Compeared Mr Robert Pont, Commiffioner of Murrey, who declared in the Affembly, that through the troubles raifed in the north, where-through, as the brethren were not ignorant, he was not able to travell there in his commiffionary ; in refpect whereof he demitted his commiffion fimpliciter on the Kirks hands, requesting them to provide for fuch as they

thought might profite in the said cuntry, that it be not destitute of a visitour. C.]

The Kirk understand that my Lord Regents Grace and Counsell was desyrous that Mr Robert Pont should accept the place of one of the Senators of the Colledge of Justice, quhilk he on nawayes wald accept without the advyse of the Kirk; therfor the hail brethren assemblit gives licence to the said Mr Robert to accept and use the said place of a Senatour in the Colledge of Justice, quhat tyme he shall be requyrit thereto; provydeing alwayes that he leave not the office of the ministrie, but that he exercise the same, as he should be appoyntit be the Kirk: And this their licence to the said Mr Robert to be no preparative to other ministers to procure sikk promotioun, unless the Kirks advyse be had of befor, and licence obtained thereunto.

[The Articles and Formes of Letters, concerning provilion of perfons to benefices, and spirituall promotions, agreed upon be the Commiffion of the Kings Majesty and the Reformed Kirk of Scotland, in their Conference had at Leith, in the moneth of January 1571.

Apud Leith, xvj die mensis Januarij, anno Domini 1571.

The quhilk day, my Lords Regents Grace, with advice of the Lords of Secret Counsell, in our Sovereign Lords name and authority, gives and grants power and commiffion to the noble and mighty Lords, James Earle of Morton, Lord of Dalkeith, Chancellor of Scotland, William Lord Ruthven, Thesaurer, Adam Bishop of Orknay, Robert Commendator of Dumfermling, Secretar to our Sovereign Lord, Mr James M'Gill of Rankeiler-nether, Clerk of Register, Sir John Ballenden of Anchnoule, Knight, Justice Clerk, Mr William Lundie of that ilk, Coline Campbell of Glenurquhy, or any four of them, to convey, advise, treat and conclude with the Superintendents and Ministers in the Kirk, or Commissioners authorized be them, anent all matters tending to the ordering and establishing of the policy of the Kirk, the sustentation of the Ministers, and support of the Kings Majesty, and common affaires of the realme, to continue in such order as shall be agreed upon while his Highness perfect age; or while the same be altered and abolished be the three Estates in Parliament: promittand to hold firm and stable, all and whatsomever the saids Commissioners does and concludes in the premises. Subscribed be the said Lord Regent, day, year and place forsaids. Sic subscribitur,

JOHN REGENT.

Apud Leith, the xvi day of January.

The whole brethren convened, in one voice and mind, gives full commission and power to the generous and loving brethren, John Areskine of Dun, Knight, Superintendent of Angus and Mernes, Mr John Winrhame, Superintendent of Fife and Stratherne, Mr William Lundie of that ilk, Mr Andrew Hay, Commissioner of Ranfrew, Cliddisdail and Lennox, Mr David Lindlay, Commissioner of Kyle, Carict and Cunninghame, Mr Robert Pont, Commissioner of Murrey, Mr John Craig, one of the ministers of Edinburgh, and Adam Fullertoun, one of the Commissioners of the town of Edinburgh, or to any four of them, to compare before my Lord Regents Grace, or so many of the Lords of his Graces Counsell as he shall appoint, this instant moneth of January or thereafter to the sixth day of March nixt to come; and there, in the Kirks name, most humbly propone, shew and declare articles, heads, supplications, complaints delivered to them be the Kirk presently assembled, most humbly requesting for answer thereunto; confer, reason and conclude with his Grace and Counsell forsaide, upon such heads and articles as shall be proponed to them be his Grace and Counsell, conform to the instructions given to them be the present Assembly; and to consent to all and whatsoever shall be treated in the said time, tending to the glory of God, setting forward the preaching of his word and maintaining thereof, the Kings Majesties authority, and common wealth of this realme. Whatsoever happeneth to be concluded on be them in the premises, to report the same to the nixt Assembly, to beginn at Sanct Andrews the sixt day of March nixt to come; or to the effect the same may be insert in the Register of the Assembly of the Kirk: firm and stable holding, and for to hold all and whatsoever the saids brethren or any four of them in the premises conclude to be done, &c. Given in the Generall Assembly and second session thereof be the Clerk of the same, day, year and place forsaide.

Anent Abbacijs, Priorijs, and Nunrijs.

That na dispositioun or provisioun falbe maid of ony abbaceis or prioreis now vacand or that heirefter fall happin to vaik ; nor na letters falbe grantit be the Lordes of Sessioun for anfuering the fruitis of ony pairt thairof to ony persoun or vse, quhill first it be considerit quhat portioun of the rentis consistis in kirkis and teindis, and quhat portioun in temporall landes : And, first of all, prouisioun falbe maid be auise of the Bischop or Superintendent, within quhais province the abbacy or priorie lyis, how the ministerie belanging thereto falbe sustenit of the fruitis belanging to the same kirkis, gif it be possible, be speciall assignatioun of samekle zeirliche stipend as falbe found reasonable, and be appoynted be the Bischop or Superintendent of the province, and sic of the Kingis Maiesties Counsaile as falbe direct to accord with him thairvpoun.

As for the remanent proffite and title of the benefice, becaus the posselloure of the same mon supplie the place of ane of the Ecclesiasticall Estate in Parliament, neidfull it is, that he quha fall haue the stile, title and place of Abbot, Priour, or Commendatar, be well learnt and qualifeit thairfore ; and for triall of his qualificatioun, the Kingis Maiesties letter commendatary vnder the signet, falbe direct to the Archebischop or Bischop of the province, quhairin the abbay or priory lyis, to try and examinat his learning and habilitie ; and vpoun testimoniaile of his habilitie fra the Ordinar, the persoun nominat fall compeir befor the King and Regent, and gif his ayth in forme as the Bischoppes dois ; and then fall the Kingis letters and prouisioun vnder the great seill be exped, direct to the Ordinar, Bischop of the province, or vtheris brooking the dignities or superior offices in the featt, to gif him institutioun.

The present Convent of ony abbay or priory being hail departit this lyff, in thair places, the ministeris serving the kirkis of the same abbay or priory falbe the Cheptoure, or assessoris to the Commendatar, in geving of ony infestmentis, takkis, richtis or dispositionis of rentes concerning the leving.

That the personis thus prouidit and admittit Commendatares, may be promouit as thay falbe found worthy, to be Senatours for the Spirituall Estate in the College of Justice ; or may be employit be the King in the necessar effaires of the common weill ; it being first prouidit, that na kirk belanging to thair leving be destitute of ministratioun, and the consent and beneuolence of the Ordinar alsua obtenit thairto.

That nane be admittit heirefter to pluralitie of benefices with cure. The last presentatioun of the lawic patroun shall be admittit and preferrit.

The Vniuersities within quhilkis thair is exercife of liberall Science, fall brouke the patronage of the kirkis and chapellanries annex to thair Collegis, presentand qualifeit personis to the kirkis ; and burfares within thair awin Colledge to the chapellanries ; quhairin gif thay failge, the Ordinar to dispone the same, jure deuoluto ; and failgeing the Ordinar, the King.

Considering that the conservatioun and purgatioun of the religioun cheiffie appertenis to christiane and godlie kingis, princes, rewlayers and magistratis ; and that it is maist requisite that the kirkis within this realme be feruit be pastoures of sound religioun, obedient to the authoritie of the Kingis Maiestie oure Souerane Lord, it is deliberat, concludit, statute and ordainit be my Lord Regentis Grace, in his Hienes name, with aulse of the Lordes of his Hienes Provie Counsell and of the Commissioners of the reformit Kirk of Scotland, That euery persoun quha fall pretend to be a minister of Goddes word and sacramentis, or to brouke and possels ony spirituall promotioun or leving quhatsumeur furth of ony benefice or spirituall promotioun, fall, in the presence of the Bischop or Superintendent of the diocy quhair he has or fall haue ecclesiasticall leving, bering title of benefice, stipend, pensoun or portioun, declair his assent, and subscriue to all the articles of religioun, quhilkis only concernis the confessioun of the trew christian fayth and the doctrine of the sacramentis, contenit in the Actes of Parliament halden in the first geir of the reigne of oure Souerane Lord that now is, intitulat, "The Confessioun of the Faith and Doctrine beleuit and professit be the Protestantes of the realme of Scotland, exhibeit to the Estates of the same in Parliament, and be thair publict votes authorized as a doctrine foundit vpoun the infalible word of God" ; and gif his aith for acknowleging and recognoscing of the Kings Majestie and his authority, according to the form presentlie sett out ; and fall bring from the Bischop or Superintendent a testimoniale in writing, of sic assent, subscriptioun and aith ; and oppinlie, on sum Sonday, in tyme of sermon or publict prayers in the kirk, quhair, be resson of his ecclesiasticall leving, he aucht to attend, or of the fruitis quhair of he ressaues commoditie, reid baith the Testimoniale and the Confessioun ; and of new mak the said aith, within the space of ane moneth estir his admisioun or prouisioun to the same ecclesiasticall leving or geirlic commoditie, vuder the pane that euery persoun that fall not do as is abone appointed, within the space foirsaid, falbe, ipso facto, depriuit, and all

Of the dispositioun of Prouestreis Prebendareis in Colledge Kirkis, foundit vpoun temporall landes or annuellis, as alsua of Chapellanreis being of the like foundatioun, for support of the scoles and incres of Letters.

All prouestreis and prebendaries in Colledge kirkis, foundit vpoun temporall landes or annuellis, and all chaiplanryes being of the like foundatioun, now vacand or that fall happin to vaik, falbe gevin and disponit be the Kingis Maieftie, or vther lauchfull patronis, to burfares and studentis in Grammer, Art, Theologie, the Lawes, or Medicine, in maner following; that is to say, the certane rentale falbe inquirit be the Bischop or Superintendent of euery diocy, of all prouestreis, prebendaryes or chapellanries being within thair diocyes; and thairvpoun ane buke falbe deliuerit be thame to the Regent, and remane in the Register, betuix and the last day of March nixtocum.

Item, All prouestreis, prebendaries or chaipellanries being of or within the geirlye rent of xx merkes, falbe gevin to a burfar in Grammer; and of the fowme of xx lb. or within, abone xx merkes, to a burfar in Art; and all of the fowme of xxx lb. or within, abone the fowme of xx lb. to a burfair in Theologie, Lawes, or Medicine.

Nane falbe admittit a burfair in Grammer being vnder the aige of fevin zeirs, nor past the aige of xiiij; and fall brouke the commoditie during the space of fevin zeirs only.

Nane falbe admittit a burfar in Art being vnder the aige of xiiij zeirs; and fall brouke the commoditie during the space of five zeirs only.

Nane falbe admittit burfair in Theologie, the Lawes, or Medicine, quhill he be first past Maister in Arte in ane of the Vniuersities of this realme; and fall brouke the commoditie during the space of sex zeirs only.

All burfares in Grammer falbe presented to a Grammar scole in ane of the Vniuersities, or vther famous scole in ane of the cheif burrowis or townes of the realme.

All burfares or studentis nominat to sic prouestreis, prebendaries and chaipellanries within the diocyes of Abirdene, Murray, Rofs, Caithnes and Orknay, falbe presentit to study thair Art, Theologie, the Lawes, or Medicine in the Colledge of Abirdene.

Item, In further pvnishment of the perfonis now at the horne, or fall happin to be denunciit rebellis, for non payment of the thriddis, and to further the recovery of payment of the fame, That the perfonis gevin in dewly execute and indorfat at the horne, be chargit to compeir befor the Regent and Lordes of Secrete Counsale at ane certane day, to anfuer to sic things as falbe inquirit of thame; at quhais comperance thay falbe accufit for thair contempt, and falbe committit to waird quhill they haue payit the debt and obtenit thamefelffis relaxt fra the horne; and that the Soliflar of the Kirkis effaires await diligentlie heirvpoun, according as he fall refflaue aduertifment of the difobedientes fra the collectouris or vtherwife.

Item, That all fewes, rentales or takkis of ony fpirituall levingis and promotionis, to be maid efter the dait of this present Act, in diminutioun, hurt or preiudice of the present rentale, falbe in law null and of nane avale. And that the certantie of the present rentale may be knawn, the Commiffioners of the Kirk hes takin in hand to caus the fame be drawin in ane autentik forme, betuix and the laft day of Marche nixtocum, and a buke of the fame deliuerit to remane with my Lord Regent to the Kingis vfe; to the effect that mair formaly refolutioun may be takin in the nominatioun and difpofitioun of ail benefices.

Item, The Lordes of Sefsioun of the Spirituall Eftate vnder Prelacijs that cleamys the immvntie of payment of thair thriddes, fall, at the leift, pay the ftipend of the minifteris feruing at thair awin kirkis, as the fame falbe modefeit and appointed be the Commiffioners from the Kingis Counsale and Kirk.

Item, It is thocht meit, that be ane act and warrand of the Secrete Counsale, the Proueffis and Baillies of all burrowis that hes gottin the gift of thair annuellis, be chargit to fend, with thair Commiffioners to Parliament, thair giftes to be fene and confidderit, the rentals of sic thingis as thay haue in poffeffioun or can cleame be the faidis giftes, to the end that it may be fene that the thing difponit be employit to godlie vfes, according to the intentioun of the gevares and forme of the giftes.

For fupport of the pure in a part, That all to be admittit to fpirituall promotioun, heirefter to be haldin to pay the tent part of all sic portioun of thair fpirituall promotionis and levingis as confiftis in teyndis, to the pure.

The Maner of Creating of a Bifchop.

Trusty and weilbelouit, We great gou weill : Forfamekle as the Bifchoprik of A. presentlie vaikis be the deceis or forfaltour &c. of the late incumbent of the fame, and calling to oure remembrance the virtu, learning, gude conuerfatioun and vther godlie qualiteis of oure trusty and weilbelouit B. C., preacher of the word of God, We haue thocht gude, be thir oure letters, to name and recommend him to zow, to be chofin to the faid bifchoprik of A. : Quhairfore We require zow immediatelie vpoun the receipt heirof to proceid to zoure electioun, according to the lawes of oure realme, and oure licence to cheis, fend vnto zow heirwith ; and the same electioun fua maid, to certefie vnto ws vnder zoure commoun feill. Gevin vnder oure fignet and fubfcriuit be oure richt traift coufing, Johnne Erle of Marr, Lord Erfkein, Regent to Ws, our realme and liegis. At, &c.

Licence to Cheis.

Oure Souerane Lord, with auife and confent of his richt traift coufing, Johnne Erle of Mar &c., ordanis ane letter to be maid vnder the great Seill in dew forme, direct to the Deane and Cheptoure of the Cathedrall kirk of N., makeand mentioun, That it is humblie merit to his Hienes and his faid Regent on the part of the faidis Deane and Cheptoure, how the kirk forfaid presentlie vaikis and is destitute of a pafour be the naturall death or be forfaltour &c. of the laft bifchop thairof, and that his Hienes will grant thame licence to cheis ane vther bifchop and pafour : His Maieftie faurable inclynand to thair defire, hes thocht gude to grant the fame ; requiring the faidis Deane and Cheptoure to cheis fic ane in bifchop and pafour of the faid bifchoprick, that falbe devote to God, and to his Hienes and his realme, profitable and faythfull ; and that preceptis be direct heirvpoun in dew forme as effeiris. Subfcriuit be the faid Regent. At, &c.

The forme of Ediēt to conuene the Cheptoure for Electioun.

Forfamekle as oure Souerane Lordes letters vnder his Hienes great feill, ar direct to the Deane and Cheptoure of the Metropolitane kirk of A. grantand thame licence to cheis ane vther bischop and pastoure, the sett now vacand be the naturall death of the last bischop thair of; requiring thame to cheis sic ane in bischop and pastoure of the same, as falbe devote to God, and to his Hienes and his realme, proffitable and faithfull. And to the effect that the electioun may proceed to the pleafoure of God, and to the weill of the King, the Kirk and realme, the day of is appointit; requiring and charging heirfore all the godlie ministeris within the said diocy, nominat and appointed to represent the Cheptoure in the reformit Kirk, that they be present at B. the said day, to doe and performe that quhilk to thame in the said electioun appertenis. Subscriuit, &c. At, &c.

The testimoniale of the Deane and Cheptoure returnit to the King and his Regent.

To the richt excellent, richt heich and michtie Prince James, be the grace of God, King of Scottis, oure Souerane Lord, goure Maiesties daylie oratouris and humble subiectis, the Deane and Cheptoure of the Cathedrall kirk of N. humble reuerence and submissioun: Forfamekle as we having goure Hienes licence to cheis ane bischop and pastoure to the said kirk now vacand be the deceis of the last incumbent, hes tryit and examinat the qualificatioun of our weilbelouit brother, N. nominat and recommendit be goure Maiestie, quhome we haue found a perfonage indewit with virtew, learning, gude conuersatioun and vther godlie qualities, and able to discharge the office of ane bischop in the Kirk of God; and thairfoir hes elected him thairvnto, humelie craving and requiring goure Hienes to grant goure Royall assent and approbatioun to oure said electioun, be your Maiesties letters vnder goure great seale, in dew and competent forme as efferis. Gevin vnder oure commoun feill and subscriuit with oure handes. At, &c.

In cais the Perfoun nominat be not found qualifjt.

Hes tryit and examinat the qualificatioun of N. nominat be goure Maieftie, and findis him not qualifeit in the haill or part of the qualities requirit in a bifchop; maift humbly thairfoir craving and requiring goure Hienes, That, with all convenient expeditioun, fum other fufficiently qualifeit may be of new nominat and recommendit to the faid bifchoprik, that the kirk of God be not deftitute of a pafoure.

The Confirmatioun, Prouifioun, and Royal Affent, vpoun the Cheptoures certificat maid of their electioun.

Our Souerane Lord, with auife and consent, &c. ordains ane letter to be maid vnder the great feill in dew forme, direct to the maift reuerend Father in God and his Hienes weilbelouit A. be the permiifioun of God, Archebifchop of S. or to quhatfumeuir vther bifchoppes to quhome in this part it appertenis, makand mentioun, That, the feitt of N. latelie vacand be the naturall death of the laft bifchop thairof, or be forfaltour, translatioun, dimiffioun or depriuatioun, &c. his Hienes, at the humble petitioun of the Deane and Cheptoure of the Cathedrall kirk of N., be his Maiefties letters vnder the great feill, hes grantit licence to thame to cheis ane vther in bifchop and pafoure of the feitt foirfaid. The fame Deane and Cheptoure, be virtew of the faid licence, hes choifit his Hienes weilbelouit, A. B. precher of the word of God, in bifchop and pafour to thame of the faid kirk; as be thair letters vnder thair commoun feill directit to his Hienes mair plainly may appeir: Thairfoir our faid Souerane Lord acceptand the faid electioun, hes gevin his royall affent thairto, as alua his fauour; and fignifeis the fame to the faid Archebifchop or Bifchop be the faid letter, requiring, and in faith and lufe quhairby thay ar haldin to his Maieftie, commanding thame to confecrat the faid A. B. electit, asfaid is, in bifchop and pafoure of the kirk foirfaid, and to confirme the faid electioun, and all and findre vther thingis to do belangand to thair paftoral office in that part, efter the forme of the lawis of this realme, with all diligence, fauour and effect. Subfcriuit be the faid Lord Regent. At, &c.

Gif he be a Bisshop already, and is to be tranflatit, then to vse thir wordes.

And the same A. B. bisshop and pastoure of the Cathedrall Kirk foirsaid, be tranlatioun to confirme, &c.

Efter the Consecratioun, the new maid bisshop fall compeir befoir the Kingis Maiestie or his Regent, and mak his ayth, as followis.

I, A. B. now electit bisshop of S. vtterlie testefeis and declaires in my conscience, That goure Maiestie is the only lauchfull and supreme Governour of this realme, as well in things temperall, as in the conservatioun and purgatioun of the religioun; and that na foreyne prince, persoun, prelat, state, or potentat, hes or aucht to haue ony iurisdiction, power, superioritie, preheminance or authoritie Ecclesiasticall and Spirituall within this realme; and thairfore I vtterlie renunce and forsake all foreyne iurisdictionis, powers, superioriteis and authoriteis, and promifes that fra this furth I fall and will beare fayth and trew allegeance to goure Maiestie, goure aires and lauchfull successeurs; and to my power fall assist and defend all iurisdictiones, preuilegis, preheminances and authoriteis grantit and belangand to goure Hienes, goure aires and lauchfull successeurs, or vnyted and annext to goure Royale croun: and farther I acknowlege and confesse to haue and hald the said bisshoprik and possessionis of the same, vnder God, only of goure Maiestie and croun Royale of this goure realme: And for the saidis possessionis I do my homage presentlie to goure Maiestie, and to the same goure aires and lauchfull successeurs salbe faithfull and trew. Sa help me God.

Restitutioun of the Bischoppes Temporalitie.

Oure Souerane Lord, with anife and consent of his richt traift couning, &c. ordanis ane letter to be maid vnder the previe seill in dew forme, makand mentioun, That, the bisshoprik of N. vacand be the deceis of the last

bifchop thairof, the Deane and Cheptoure of the Cathedrall kirk foirfaid, be his Hienes licence focht and obtenit, hes electit his Hienes weilbelouit A. B. prehear of the word of God, in thair bifchop and pastoure : To quhilk electioun and perfoun electit his Maieftie hes gevin his Royale affent and fauour, and hes reffaut his fidelitie dew to his Hienes for the faid bifchoprik, reftorand to him the temporaliteis thairof be thir presentis ; and that the faids letters be extendit in the best forme with all claufes neidfull, with command in the fame to the Lordes of Counsale and Seffioun, to grant and gif letters in the foure formes, at the instance of the faid A. B. now electit, admittit and confirmit Bifchop of C. to caus him to be anfuerit and obeyit of the faid temporalitie thairof, and vthers fruitis and rentes of the fame fra the feift of D. laft bipaft, in dew and competent forme as efferis. Subfcriuit be the faid Lord Regent.

Touard the Chapters of Metropolitan and Cathedrall Kirkis.

Becaus diuers of the Deanryes, and vther dignities and benefices callit Channonreis and Prebendareis in Metropolitan and Cathedrall kirkis, ar poffeffit be perfonis that hes not maid profeffioun of the trew religioun ; and vtheris that, althocht thay haue maid profeffioun of the trew religioun, zit haue not enterit be lauchfull order of the trew reformit Kirk in the functioun of the minifterie, and fa nather the ane nor the vther fort ar thocht meit to haue vote in the electioun of the trew bifchop ; thairfoir, in tyme cuming, this order falbe obseruit as interim, alfweill for bifchoprikkis now vacand or that heirefter fall happin to vaik, falang as the benefices of the auld Cheptoure are not in the poffeffioun of the ministerris of the Kirk profeffouris of the trew religioun, that is to fay, fa mony of the auld ordinar Cheptoure as ar presentlie lauchfull Ministeris and profeffoures of the faid trew religioun, fall haue thair awin vote, place and priuilege ; and in place of fa mony of the vtheris, present poffeffoures of the benefices of the Cheptoure, now poffeffit be perfonis not profeffing the trew religioun, or that has not enterit or fall not enter be lauchfull order of the trew reformit Kirk, in the functioun of the minifterie, falbe nominat als mony of the maift godlie and learnit ministerris feruing the kirkis within that province.

It is confidderit, that of the Archebifchoprikkis within this realme and Bifchoprikkis, twa, viz. Sanct Androis and Galloway, had Chaptoures in

Cloisteris, and the Cheptoures of the remanent kirkis wer personis of parochie kirkis ; and thairfoir fa lang as the benefices of the Cheptoure ar not in possessioun of the ministerris of the reformit Kirk, professours of the trew religioun, quhilk, God willing, with tyme (the present possessoures depart- and this mortale lyff) falbe, this order is thocht meit for the electioun.

First, For the feitt of Sanct Androis, That sa mony of the auld Cheptoure as levis, and ar ministeris professouris of the trew religioun, fall fill be of the Cheptoure during thair naturall lyves ; viz.

The Bischop of Caithnes, Commendatar of the Priorie of Sanct Androis,
Deane.

The Priour of Portmook.

Patrik Boncle, Minister at Pallady kirk.

John Gudefallow, Minister at Eglisgreg.

Nicoll Spittell, Minister at Langforgound.

Dauid Robertsfoun, Minister at Roffy.

John Vre, Minister at Lewchirres.

Peter Ramsfay, Minister at Derfy.

Peter Watsfoun, Minister at Merkinche.

Alexander Mure, Minister at Kilgoure.

Patrick Kinloch, Minister at Linlythgow.

Johne Duncanfoun, Minister at Striueling.

Maister William Braidfute, Minister at Lathrisk.

Maister Thomas Biggar, Minister at Kingorne.

The Cheptoure or Assembly of the Archebischop of Sanct Androis affefouris, consist, in tyme to cum, efter the death of the present Convent of the abbay, in xxj personis heirestir nominat, quhilkis personis nominat fall represent the Cheptoure in electioun of the Archebischop ; and siclike, in tyme cuming, for electioun and spirituall effaires, alsweil befoir as efter the death of the Convent, without preiuging the auld Convent during thair lyftymes, in things temporall.

The Priour of Sanct Androis, Deane.

The Priour of Portmook.

The Minister of Edinburgh.

The Minister of Leith.

The Minister of Linlythgow.

The Minister of Striueling.
 The Minister of Dumbar.
 The Minister of Hadingtoun.
 The Minister of Perth.
 The Minister of Carrale.
 The Minister of Coupar.
 The Minister of Anstruther.
 The Minister of Dysfart.
 The Minister of Kirkcaldy.
 The Minister of Kingorne.
 The Minister of Dumfermling.
 The Minister of Abirbrothok.
 The Minister of Calder in Lowtheane.
 The Minister of Fettercarne.
 The Minister of Duns.
 The Minister of Methven.

That in the feitt of Archebifchoprik of Sanct Androis, vnder the Archebifchop, thir Dignities or Superiour offices in the Kirk be retenit, quhilkis fucceffiuelle having the Kings licence to cheis, fall convocat the Cheptoure to that effect.

The Deane quhais leving is and falbe the Priorie.

The Archedeane of Sanct Androis.

The Archedeane of Lowtheane.

The Chancellair, quha falbe the Prouest of the Queinis College beside Edinburgh.

And, in the meyntyne, quhill the levingis of the faidis Archedeanyes and Chancellarie vaik be the death of the present poffeffours, quhilkis ar not in the functioun of the Ministerie, the offices falbe feruit be

Maifter John Winrhame, as Archedeane of Sanct Androis.

Mr Johnne Spottifwood, Archedeane of Lowtheane.

Mr Dauid Lindesay, as Chancellair.

Nota. The like order for the Bifchoprik of Galloway to be takin.

For the featt of Glasgou.

The Cheptoure consistit in xxxij Channonreis or Prebendaries foundat
vpoun distinct and seuerall benefices ; that is to say,

Deanrie ; the perfonage of Hammyltoun.

Chanterie ; perfonage of Kilbride.

Chancellarie ; perfonage of Campsey.

Thefaurarie ; perfonage of Carnweth.

Subdeanrie ; perfonage of Calder and Monkland.

Archdeanrie ; perfonage of Pebles and Maner.

Archdeanrie of Teviotdail ; perfonage of Morbottill.

Perfonage of Glasgou.

Perfonage of Stobo.

Perfonage of Govane.

Perfonage of Renfrew.

Perfonage of Erskin.

Subchantorie ; perfonage of Durifdeir.

Perfonage of Carstaires.

Perfonage of Sanquhair.

Perfonage of Eglifhame.

Perfonage of Air.

Perfonage of Cardrois.

Perfonage of Kirkmaho.

Lord Provand.

Perfonage of Douglas.

Perfonage of Ancrum.

Perfonage of Cambuslang.

Perfonage of Cumnok.

Perfonage of Auld Roxburgh.

Perfonage of Askirk.

Perfonage of Moffett.

Perfonage of Killerne.

Perfonage of Bothernok.

Perfonage of Eddieftoun.

Perfonage of Torboltoun.

Perfonage of Lus.

Off the present possessours of the benefices, onlie sex ar enterit in the functioun of the ministerie, quhilkis salbe of the Cheptoure for the electioun of the Archebifchop ; as alsua how sone the remanent present possessours departes this lyff, the benefices fall alwyfe be disponit to qualifeit personis that fall entir in the functioun of the ministerie, and thay to be of the Cheptoure ; and quhill the personis present possessours, not enterit in the functioun of the ministerie, be departed this lyff, to the sex of the Cheptoure quhilkis ar already ministerris salbe adionit the vtheris ministerris following, to represent and supplie the Cheptoure in electioun of the Archebifchop.

The names of the sex of the Cheptoure that ar already Ministers.

Maister Johnne Coluile, Minister at Kilbryde.
 Maister Andro Hay, Minister at Renfrew.
 Maister Petir Young.
 Maister James Striueling.
 Maister George Hay.
 Maister Johnne Hammyltoun.

The personis adioynit.

The Minister of Glasgou.
 The Minister of Dumbertane.
 The Minister of Irwing.
 The Minister of Air.
 The Minister of Lanerk.
 The Minister of Hammyltoun.
 The Minister of Campsey.
 The Minister of Cammonell.
 The Minister of Mauchline.
 The Minister of Vchiltrie.
 The Minister of Stevinsoun.
 The Minister of Kirkpatrik.
 The Minister of Peibles.
 The Minister of Rutherglen.
 The Minister of Stratoun.

That in the feitt of the Archebifchoprik of Glaſgow, vnder the Archebifchop thir digniteis as ſuperiour offices in the Kirk be retenit, quibilkis ſucceſſiuelie having the licence to cheis, fall convocat the Cheptoure to that effect.

The Deane.

The Archedeane of Glaſgow.

The Archedeane of Teviotdale.

The Chancellair.

The levingis of thir digniteis and offices ar knawin, and efter the death of the preſent poſſeffoures, perſonis qualifeit miniſteris being placit in the levingis, fall allua diſcharge the offices; and in the meyntyme of the electioun of the ſaid Archebifchop, thir perſonis fall repreſent and ſupplie the ſamine offices;

Maifter Andro Hay, Deane.

Mr James Greg, Archedene of Glaſgow.

Mr Johnne Coluile, Archedene of Teviotdale.

Mr David Wemys, Chancellair.

Without preiudice of the preſent Cheptoure during thair lyftymes in thingis temporall.

The like order toward the remanent Biſchoprikkis, having benefices appointed to ſic as ſould be of the Cheptoures.

The forme of a letter direct to the Ordinar, or, the feitt vacand, to the Deane, or vther nixt conſtitute in dignity of the Cheptoure, in the fauour of a perſoun to be promotit to ane Abbacy or Priory.

Reuerend Father in God, We great gow weil: Forſamekle as the Abbacy or Priory of A. preſentlie vaikis be the deceis of the late incumbent of the ſame; and having already maid prouilioun how the miniſterie of the kirkis of the ſame ſuld be ſuſtenit, We haue thoct convenient to name and recommend oure weilbelouit clerk, B. C. to the Commendatary of the ſaid Abbacy or Priorie of A. And ſen the poſſeffoure of the ſame is to re-

present the place of ane of the Ecclesiasticall Estate in our Parliament, neidfull it is that he be sufficientlie qualifeit ; quhairfoir We require and pray zow immediatelie vpoun the receipt heirof, to try and examinat his learning and habilitie, certefeing Ws of the same be zoure testimoniale, that thair-vpoun We may provide him of the said abbay or priorie as efferis. Gevin vnder our signet and subcriuit, &c.

The Testimoniale of the Ordinar returnit to the Kingis Maiestie or his Regent.

To the richt excellent, &c. zour Maiesties humble oratours reuerence and submissioun : Forfamekle as having tryit and examinat the qualifi-
cations of oure weilbelouit A. B. nominat and recommendit be zoure Ma-
jestie to the Commendatary of the abbay or priorie of A. we haue found
him of sufficient learning and habilitie, quhilk we declair and signifie to
zoure Hienes be thir presentis. Subscriuit with oure handes and vnder
oure . At, &c.

In cais the persoun nominat be not found qualifijt.

Hes tryit and examinat, &c. and hes not found him qualifeit in hail or
part of the qualiteis requirit ; maist humblie thairfoir craving and requiring
zoure Hienes, That, with all convenient expeditioun, sum vther sufficientlie
qualifeit may be of new nominat and recommendit to the said abbay or
priorie.

The Gift and prouisioun vpoun the Ordinaris certificat.

Oure Souerane Lord, with auise and consent, &c. ordanis ane letter to
be maid vnder the great seill in due forme, direct to the reuerend Father
in God, A. Archebischop or Bischop of B., makand mentioun, That the abbacy
or priory of C. presently vaikis be the naturall death of the last abbat,
priour, or commendatar thairof, or be forsaltoure, translatioun, dimissiou
or depriatioun, his Hienes hes nominat and recommendit his weilbelouit,

D. E. to the Commendatary of the said abbay or priorie of C., quha be his Ordinar is found of sufficient learning and habilitie thairfore ; and alsua hes gevin the confessioun of his fayth, his aith for acknowleging and recognoscing his Hienes authoritie, and dew obedience of his Ordinar in accustomed forme : Thairfoir gevand, grantand and disponand be the said letter to the said D. E. the said abbacy or priory of C. with all dignitie, richtis, rentes, patrimonie, priuilegis and possessionis quhatfumeuir belonging thairto ; and makand and constitutand him Commendatar thairof during his lyftyme, to be brouked and joyfed be him als frelie as ony vther broukit and possessit the same in tyme bigane, but ony reuocatioun ; requiring the said reuerend Father to mak the said D. E. now nominat and admittit Commendatar of the said abbay or priorie of C. haue institutioun and possessioun of the same ; and all and findre vther thingis to do concerning his pastorall office in this part, with all diligence, fauour and effect ; and that the said letter be extendit in the best forme with all clauses neidfull, with command in the samyn to the Lordes of Counsaile and Sessioun, to grant and gif letters for answering and obeying of the said D. E. now Commendatar of the said abbay or priory, of the rentes, fruitis, proffites, emolumentes and deweties thairof, during his lyftyme, and to nane vtheris. Subscriuit, &c.

The forme of a letter direct to the Maister of the Grammer Scoile,
in fauour of a Bursar Student in Grammer.

Trusty and weilbelouit, We greit zow weill : Forfamekle as the prebendarie or chapellanrie of A. liand in the diocy of B. now vaikis be the deceis of vmquhile C. D. last possessoure of the same, the geirlye rent quhairof is thocht not to exceed the sowme of xx merkes ; and We willing to confer the samine to a Bursair in support of his sustentatioun at the scole, for the increas and furtherance of gude letters, be thir oure letters nominatis and presentis oure louit, &c. requiring zow to try and examinat, gif he be past the aige of sevin and be within the aige of xiiij zeiris, gif he be apt to study in Grammer, and will promeis to continew his study vnder zow and be subject to zoure discipline ; as alsua inquire quhair the chapellanrie or prebendarie lyes, and quhat is the certane rent thairof, that, vpoun zoure report to be returnit to Ws within the space of ane moneth efter the dait

D. E. to the Commendatary of the said abbay or priorie of C., quha be his Ordinar is found of sufficient learning and habilitie thairfore; and alsua hes gevin the confessioun of his fayth, his aith for acknowleging and recognoscing his Hienes authoritie, and dew obedience of his Ordinar in accustumat forme: Thairfoir gevand, grantand and disponand be the said letter to the said D. E. the said abbacy or priory of C. with all dignitie, richtis, rentes, patrimonie, priuilegis and possessionis quhatfumeuir belanging thairto; and makand and constitutand him Commendatar thairof during his lyftyme, to be brouked and joyfed be him als frelie as ony vther broukit and possessit the same in tyme bigane, but ony reuocatioun; requiring the said reuerend Father to mak the said D. E. now nominat and admittit Commendatar of the said abbay or priorie of C. haue institutioun and possessioun of the same; and all and findre vther thingis to do concerning his pastorall office in this part, with all diligence, fauour and effect; and that the said letter be extendit in the best forme with all clauses neidfull, with command in the samyn to the Lordes of Counsaile and Sessioun, to grant and gif letters for answering and obeying of the said D. E. now Commendatar of the said abbay or priory, of the rentes, fruitis, proffites, emolumentes and deweties thairof, during his lyftyme, and to nane vtheris. Subscriuit, &c.

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tie Prince James the sext, be the grace of God, King of Scottis, is the only lauchfull supreme Governour of this realme, als weill in thingis temporall as in conservatioun and purgatioun of the religioun ; and that na foreyne Prince, Prelat, State or Potentate hes or aucht to haue ony iurisdiction, power, superioritie, preheminance or authorite Ecclesiasticall and Spirituall within this realme : And thairfore I vtterlie renunce and forsaik all foreyne iurisdictiones, powers, superioriteis and authoriteis, and promifes that from this furth I shall and will beare faith and trew allegeance to his Hienes, his airis and lauchfull succeffoures, and to my power fall assist and defend all iurisdictionis, preuileges, preheminances and authoriteis grantit and belonging to his Hienes, his aires and lauchfull succeffoures, or vnited and annext to his Royale croun ; and farther I acknowlege and confesse to haue and hald the said C. and possessionis of the same, vnder God, only of his Maiestie and croun Royale of this realme ; and for the saidis possessionis I do homage presentlie vnto his Hienes in goure presence, and to his Maiestie, his aires and lauchfull succeffoures salbe faithfull and trew. Sa help me God.

Gif the benefice be at presentatioun of a lawic patroun : At the geving of the ayth, the perfoun presentit fall say, I acknowlege and confes to haue and hald the said C. and possessionis of the same, vnder God, be his Maiestie, of E. F. lauchfull patroun of the same.

In benefices of cure, the personis admittit fall promise obedience to the Ordinar ; and in Scoles or Vniuersiteis, to the Maister or Principall thair of.

Forfamekle as the heades and articles now talkit of, and put in sic forme as is contenit in this buke, can not haue full effect and executioun as lawes ; nor na lawic patronis vnwilling can be compellit thairby, quhill the same be allowit and enacted in Parliament : Neuirtheles it is thocht and ment by my Lord Regentis Grace, That in sic thingis as he fall happin to pas in the Kingis Maiesties name ; and the Bischoppes, Superintendentis, and Maisteris of Colleges and Scoles, in thair admissioun ; and the Lordes of Sessiou, in granting of letters, fall haue respect to the keping and obseruatioun of the order now condescendit vpoun, as gif it wer establisht be law ; and that all lawic patronis be persuadit to the obseruatioun of the same order, quhilk is ordanit to haue the strenth of ane act of the Secrete Counsale : and that exact laboures salbe takin to gett this ordour allowit,

confirmit and establisht as law be the Parliament; and for that effect that the formes of signatoures and letters be kept vnalterit.

And a Register to be kept be the clerk of the Secrete Counsaile, of all signatures, and vtheris grantis of ony Spirituall promotionis or maters concerning the same; and the seillis to ansuer na signatoure or letter vnregistrat and subscriuit on the bak be the said clerk: And in cais ony letter be past negligentlie the handes of the Regent different from thair formes, that the clerk stay the same vnregistrat, quhill the mater be oppynnyt to the Regent, and his mynd certainlie vnderstand; and na letters to pas with blankes; and na double gift to be registrat without the Regents mynd first knawin. Sic subscribitur.

Quhilkis articles and formes abonewrittin being sene and considerit be my Lord Regentis Grace, he, in oure Souerane Lordes name, allowis and approvis the same. At Leith, the first day of Februar, the geir of God I^m v^c thre scoir elleuin zeris. Sic subscribitur. JOHNNE REGENT.

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Apud Leyth xxij Januarij, anno Domini I^m v^c lxxj.

The Commissionaris of the Kirk hes grantit and assignit, and be the tenour heirof grantis and assignis the sowmes of money and victuallis vnderwrittin for the support of the Kingis Maiesties estate and commoun effaris of the realme, of the crop and geir of God I^m v^c thre scoir elleuin zeris instant and in tyme cuming, that is to say, to the support of the Kingis Maiesteis house the sowme of iij^m vj^c xxxj li iij s.

And for payment thairof.

The money of the thrid of the abbay of Kinlos, iij^c lxxxiiij li iij d.

The money of the thrid of the Bischopruck of Murray, v^c xlix li xv s ix d.

The money of the thrid of the Bischoprik of Aberdene, v^c lj li v s viij d.

The money of the thrid of the Abbay of Abirbrothok, viij^c xxvij li xv s.

The money of the thrid of the Bischoprik of Sanct Androis, viij^c iij li xij s iij d.

The money of the thrid of the Bischoprik of Dunkeld, v^c li.

Summa.

vpoun the Kingis persoun, the thrid of the filuer of Jedburgh with Ref-
tennot, iij^c xxxij li viij s viij d; the commoun kirk of Welstoun xl li;
Vicarage thairof xv li; Vicarage of Falkirk xij li vj s viij d; Vicarage
of Kilmacolme xj li. Summa iij^c lxxxvij li iij s iij d; togidder with
the thrid of meill, quheit and beir of Jedburgh, and hail victuale of Dun-
blane, bayth extending to xli chalderis viij bolls iij fyrlots.

Item, For keping of the Castell of Dumbartane, out of the thrid of
Pullay, xx chalder victuale.

Item, In hors corne to my Lord Regent, fourty chalder aittis grantit and
assignit to be payit in maner following, viz. out of Fyff of the present zeir
1571, and for the tyme to cum a special assignatioun falbe maid befor
October nixt.

Item, It falbe lauchfull to the Kingis Maiestie, with auise of my Lord
Regent, to mak and constitute Collectouris and Chalmerlanis ane or ma for
craving, collecting and inbringing of the money and victuallis abone writ-
tin, assignit to the support of the Kingis Maiesteis hous, and vtheris special
assignationis abone writtin, discharginge the Collectouris of the Kirk of all
intromillioun with the same.

Item, Grantit and assignit to Agnes Scott during hir wedoheid, the
sowme of twa hundrith merkis of the thrid of the Abbay of Culros.

And this assignatioun to lest and indure this present zeir and crop, and
zeirlic in tyme cuming quhill farder ordour be tane.

The names of the Collectouris and thair boundis.

Patrik Daidfoun, Ros Herald, collectour of Ros, Sutherland, Strath-
naver and Caithnes.

Dauid Dunbar, collectour of Murray.

Johnne Calder of Allowne, collectour of Abirdene and Banff.

Williame Foulartoun, collectour of Mernis and Angus.

Dauid Murray, collectour of Perth.

Maister Robert Winrame, collectour of Fyff. } Togidder.

Thomas Lindesay, Snawdoun Herald, collectour of Lowthiane and
Mers.

William Ruthirfurd, collectour of Roxburgh, Selkirk and Peblis.

and the said Maister Archibald full content and pay to the said Mr Dauid sa lang as he fall continew Minister of Glasgou, or to the vtheris that fall succeid to him in that charge, thair zeirlie stipend extending to the sowme of twa hundrith pundis, at twa termis in the zeir, Witsonday and Martimes in Wintir, be equall portionis; begynnand the first termis payment at the Feist of Witsonday nixtocum in the zeir of God I^{co} V^c thre scoir twelf zeris; and that in payment and satisfiactioun of the thrid of the said perlonage, and to the effect the said thrid may be recoverit agane according to the full rentall that the samyn extendit vnto the zeir of God I^{co} v^c lxj zeris, commandis the Procuraturis of the Kirk to persew at thair instance for reduccioun of quhatsumeuir giftis and dispositionis maid of the same thrid, in preiudice and diminutioun of the first rentall, quhairthrow the said Maister Archibald may brouke the said haill thrid, and may be abill thairby to pay the sowme of twa hundrith pundis to the Minister soirsaid: Prouiding that this salbe na preparatiue to vther the lyke thingis heireftir; and that the said Maister Dauid be payit of his stipend as he hes bene heirtofoir quhill the said Feist of Witsonday nixtocum: And als, with auise and consent of the saidis Maister Archibald and Dauid, ordanis thir presentis to be actit and registrat in the bukis of Counfall, to haue the strength of ane act and decret of the Lordis thair of, and letters and executoriallis of horning or pouding to pas thairvpoun in forme as efferis. In witnes heirof the Commissionaris of the Counfall and Kirk, hes commandit thir presentis to be subscriuit be the scrybe of the Prevy Counfall in thair names. And the saidis Maister Archibald and Dauid, in takin of thair consentis and for thair interefs, hes subscriuit thir presentis with thair handis, day, zeir and place soirsaid, befoir thir witnesses, Robert, Commendatare of Dunfermling, Maister James Makgill of Rankelour-nethir, Clerk of Registare, Johnne Bellenden of Auchnowle, Justice Clerk, and Alexander Hay, Scribe to the Prevy Counfall. Sic subscribitur Mr Archibald Douglas, Maister Dauid Wemys, Minister at Glasgou, Alexander Hay. C. & Reg. Sec. Conc.]

A. D. M.D.LXXI.

THE Generall Affemblic haldin and begun in St Androes [in Sanct Leonards school] the saxt day of Marche 1571 : In the quhilk were present the Superintendents, Barrons, Commiffioners to plant Kirks, Commiffioners of Provinces, Townes, Kirks, Univerfities, Minifters, and Mr Johne Dowglas, Archbifchop of St Androes. Mr Robert Hamiltoun, Minifter in St Androes, Moderatour for this present Affemblic.

Seffio 1^a.

[At the triall of the Superintendents, Mr John Winram, Superintendent of Fife, was complained upon be Mr Thomas Kinneir, Minifter at Carraill, That his kirk had not been vifited thir three years bygone, and that at this laft vifitation there he ufed not due order, in fo far as he confulted not with the Minifters and Elders touching things to be reformed, &c. : Nixt accused, that he had not vifited Stratherne, Menteith, Braidalbane the year bygone : Thirdly, that he had given the vicarage of Kilmanie to one that is no Minifter, nor hath any function within the Kirk, wherethrough the Minifter of the faid kirk planted by himfelf is frustrate thereof. Re-entering he answered to the firft, That he referred to the book of vifitation. The Affembly exhorted him to be more diligent in vifitation as he might conveniently ; which he promifed to doe.

Mr David Lindfay, Commiffioner of Kyle, Cariet and Cunninghame, was accused for not putting order to certain enormities done to the kirk of Uchiltrie, and committed to him be the Affembly holden at Leith. He alledged for excuse the fhortnefs of time, and greatnefs of the fream. The Affembly required him to take order in the premisses how foon he might conveniently; which he promifed.

The Affembly appointeth Mr William Gardin, William Clark, James Carmichaell, John Inglis and George Scot, to conveen the morne at feven hours, to vifite the books of Superintendents and Commiffioners appointed to plant kirks, and to report again to the Affembly what diligence they find.

Seffio 2^a.

The brethren conveened, remembring on the commiffion given to certain brethren in the Affembly, paff before, to conveen with the Regents Grace and Secret Counfell, to treat upon the heads which were to be proponed be his Grace and Counfell; as alfo fuch heads and articles as they had to propone in name of the Affembly: In refpect whereof, understanding that the faids brethren Commiffioners had already concluded upon fome heads with my Lord Regents Grace and Counfell forefaid, and had reported the fame to this Affembly, appointed the Archbishop of Sanct Andrews, Mrs John Knox, John Craig, John Row, Alexander Arbuthnet, James Wilkie, Patrick Adamfon, Gilbert Gairdin, William Clerk, Robert Montgomerie, William Chriftefone, David Fergufone, William Spence, George Leffie, George Scot, Mr John Rutherford, Patrick Kinninmouth, with the Superintendents of Fife, Mrs David Lindfay and Andrew Hay, Commiffioners before appointed, That they or eight of them conveen in Mr Knox houfe this day at two afternoon, and there confider and fight the faid articles and conclufions; and what therein they find agreeable to Gods word, and to the utility of the Kirk, to report the fame to the Affembly this night or the morne, that the faids conclufions may be infert in the Register.

Sessio 3^a.

In confideration that the countrey of Murrey is prefently deftitute of a Commiffioner to vifite the Minifters and plant kirks, all in one voice gave commiffion to Mr John Keith, Perfoun of Duffus, to vifite Minifters, plant kirks where none are, fufpend and depofe as occafion fhall ferue, conferr benefices to qualified perfons, at the prefentations of the juft patrons, vifite colledges and fchools, &c.; and what he doeth in the premisses to report to the next Affembly.

Touching questions and complaints given or to be given in: The Affembly appointed Mr Andrew Hay, Commiffioner of the West, John Rutherford, John Craig, Alexander Arbuthnet, Robert Montgomerie, John Ure, William Clerk, to conveen at two hours afternoon, read, confider and give answers to the faids complaints and questions; and what they fhall happen to find worthy to be registered, to report the fame for that effect.

Mrs Andrew Hay, John Row and Mr David Lindfay were continued Commiffioners of Cliddifdaill, Galloway and Kyle till the next Affembly.

The fame day Mr John Winrame Superintendent of Fife, of his own free will and for certain caufes moving him, purlie and fimpliciter dimitted the office of Superintendencie which he had within the Diocefe of Sanct Andrews in the Affemblies hands, requesting them moft earneftly to provide for another in his room, for the comfort of the Kirk, and vifiting the Minifters within the forefaids bounds. C.]

Anent the complaint givin in be Mr Johne Rutherford, Proveft of St Salvators Colledge, againft Mr John Wynrhame, Superintendent of Fyfe, for the wrangous difponing of the Vicarage of the commoun kirk of Kilmannie pertaining to the faid Proveft and his Collegues brether of the faid Colledge; as alfo for obtaining of the gift and giving of ane altarage in the fame Colledge fituat at St Johns altar, the gift quhairof the faid Mr Johne as Proveft alledgit to have pertaint to him be vertue of foundation of the fame, &c. as at lenth in the faid complaint was conteinit, Requeiftand the Kirk prefentlie conveyit to take fick ordour in the premisses as godlinefs and equitie requireth, in fick fort that the Colledge and brethren forfaids be not put to fuffett and expenffes in feiking remedy befor vther Judges. The Kirk having confideratioun of thair complaint, thought meitt

to have inspecture of the foundatioun of the Colledge, and quhat the same conteinit anent the presentatioun and collatioun of the said Viccarage of Kilmanie; and, for that purpose, gave commissioun to thair brethren, Mrs Johne Row, Gilbert Gardein, William Christefone, Andro Hay and David Lindesay, to pass to St Salvators Colledge, consider and see the foundatioun thair of, and quhat they find concerning the said Viccarage of Kilmanie, and to quhom the presentatioun and collatioun thair of pertaineth; and quhat they happin to find, to report the same againe to the nixt Assemblie.

The saids brethren returneand reported quhat they had found in the said foundation; the tenour quherof followes in thir wordes.

Vicarie de Kilmanie electio et presentatio ordinaria facienda ad Dominum Prepositum, et ceteros de dicto Collegio graduatos debent pertinere. Qui quidem Vicarius omnia onera ordinaria subire tenetur. In fundatione Collegii Sancti Salvatoris, ita invenimus ad verba scriptum. Testantibus nostris chirographis subscriptis, et ex commissione ecclesie ad id muneris destinatis, 7 mensis Martii 1571. Gulielmus Christefone, Andreas Hay, David Lindesay, Joanes Row, Gilbertus Gardein.

In respect of the premisses, the Kirk ordainit to wryte ane letter to the [Lords Senators of the] Colledge of Justice, testifieing quhat they had found in the said foundatioun, anent the presentatioun and collatioun of the forsaid Viccarage of Kilmanie.

Sessio 4^a

[Anent the supplication presented to the Generall Assembly be Mr Patrick Adamson, bearing in effect, That where my Lord Regents Grace of good memory had granted him a pension of five hundreth merks yearly, to be lifted up of the personage of Glasgow at two terms in the year, Martimes and Whitfunday, requested the Assembly to ratify, confirm and approve the said pension, and to desire the Procurators of the Kirk to assist him in this his cause, because, for his own part, he was willing to endeavour himself to the uttermost of his power to the service of the Ministry, according as it should please the Kirk to call him; and nixt, if it should happen him to obtain the said pension in the said Personage, he would not only be at the Kirks command to employ his labours, but also

provided for the said Provestrie according to the foundation of the said Colledge. C.]

The Kirk ordaines the Superintendent of Fyfe to vse his awin Jurisdiction as of befor in the provinces not get subiect to the Archbisshoprick of Sanct Androes ; and als requeists him to concurre with the said Archbisshop, quhen he requyres him in his visitatioun, or vtherwayes within his bounds, quhill the nixt Generall Assemblie ; and the Superintendent to have the stipend as of befor : and in lyke manner the Superintendents of Angus and Lowthiane [to continue in their Jurisdiction in manner fore-said] without prejudice of the said Archbisshop, except be vertue of his commiffioun.

A. D. M.D.LXXII.

THE Generall Affemblic begun and haldin in the Tolbuith of Perth, the saxt day of August 1572: In the quhilk were present the Erles, Lords, Barronis, Superintendents, Commiffioners to plant Kirks, Commiffioners of Provinces, Univerfities, and Minifters. Johne Erskine of Dunne, Knyght, Superintendent of Angus and Mernes, was chofen Moderatour be the hail voyce of the Affemblic.

Seffio 1^a.

To the effect that obedience be given to the Moderator presentlie and in all tymes heirafter, the hail brethren affemblit in ane voyce statutes and ordaines, That na perfon, of quhat estate that ever he be, take in hand to fpeake without licence askit and given be the Moderatour, and after licence obtainit, that the perfon fpeake and keip moderatioun in reasoning and anfuering, and els keip filence quhen he fall be commandit be the Moderatour, under the paine of removeing out of the Affemblic, and not to re-enter therin dureing that conveying: and this to be a perpetuall act for all Affemblics heirafter.

[The Affembly findeth and declareth the Diocie of Sanct Andrews, wherefoever it lyeth, to pertain to the Bifhop of Sanct Andrews, and to no other Superintendent to vifite and plant kirks: Therefore the faid Bifhop answered, Because the bounds are great, and he not able to doe his office in his own perfon, desired some of the Godlieft and beft learned to concurr

with him in taking order, how the whole Diocie may be served : And, for that purpose, he desired to have the counsell of the brethren underwritten, to wit, John Areskine of Dun, Knight, Superintendent of Angus and Merns, Mr John Spotswood, Superintendent of Lothian, Mr Robert Pont, Mr Andrew Hay, Commiffioner of Cliddifdail, Mr John Craig, Minister ; whereunto the whole Affembly agreed.

Mrs John Craig, William Christefon, Andrew Simpson, Robert Hamilton, John Duncanfon and James Dalrympell were appointed to vifite the books of the Bifhop of Sanct Andrews, the Superintendents and Commiffioners vifitation.

Touching the revifing of the heads and articles concluded at Leith in the moneth of January laft, betwixt my Lord Regents Grace, Secret Counfell and Commiffioners of the Kirk, the whole Affembly appointed the Superintendents of Angus and Fyfe, Mrs John Craig, John Row, William Christefon, David Fergufon, David Spence, John Rutherford, Patrick Kinninmouth, together with Mr Robert Pont, David Lindsay, Andrew Hay, and Mr William Lundie of that ilk, that they convene upon Friday nixt to come at fix hours in the morning in the Counfell houfe, and overfee and confider the faids conclusions, and what they find therein, eithor to be retained or altered, to report the fame again to the Affembly ; ordaining all and fundry brethren that have any reason to alledge againft the faid conclusions, that they convene with the foresaids brethren the faid day or before, and fhew their opinion ; with certification, that thereafter they fhall not be heard thereanent.

Seffio 2a.

Anent my Lord Regents Graces fupplication for placing of Mr Robert Montgomerie in the town of Stirling, the Affembly willing to fatisfy my Lord Regents Grace and town of Stirling in that behalf, confented that Mr Robert be placed there ; alwife providing the aēt anent the removing of Minifters made the penult of July 1569, be observed. Alwife becaufe it is fuppomed that the congregation of Dumblane hath no knowledge of the transporting of their Minifter, The Affembly ordaineth the Superintendent of Stratherne to warn the faid congregation before him, betwixt and the laft day of this instant, and hear their alledgance, wherefore the

faid Mr Robert should not be removed from them and placed in the faid town of Stirling. Moreover, the Affembly ordaineth, that if the faid Mr Robert be placed in Stirling, that the Collector of the West pay to him two hundreth merks, and the Collector of Stratherne ane hundreth merks for a year, till farder order be taken.

Anent the supplication of the town of Edinburgh touching the support of Ministers for their congregation presently destitute of preaching: The Affembly gave commiffion to the Superintendent of Lothian with so many Ministers of the province as he should choofe, with advice also of Mr Knox and the Seflion of the Kirk of Edinburgh, to nominat and choofe any qualified Minister, as they fhall think expedient to be joined with Mr Knox, Minister of the faid town; and whomsoever they fhall happen to choofe, that the faid Superintendent charge him to enter in the Ministry of the faid town with all diligence, under the pain of difobedience to the Affembly.

The Affembly ordained Mr Patrick Adamfon to enter in the Ministry at Pasley at what time the Commiffioner of Cliddisdail fhall charge him thereto; which the Affembly defireth to be done with all diligence, according to the faid Mr Patricks own promife.

The Affembly, for certain caufes, continueth all Commiffioners already appointed ftill in their offices while the nixt Affembly, at the which ordaineth them to be present, and bring with them their diligence in execution of their Commiffion.

Seflio 3^a

Anent answering and concluding upon queftions and complaints: The Affembly appointed the brethren under written, to wit, Mrs Alexander Arbuthnet, James Melvill, James Carmichaell, George Scot, Alexander Jerdan, Andrew Simpson, to meet at three hours after noon and give their answers, and report the fame to the Affembly.

The brethren appointed for revifing the heads and articles concluded in Leith, in January laft, with the Regents Grace and Secret Counfell, presented to the Affembly a proteftation with their opinion, anent fome of the heads and conclufions, requiring the whole Affembly to adhere to the fame: The tenor whereof followeth. C.]

For fameikle as in the Assembly of the Kirk haldin in Leith in January last, ther was certaine Commiffioners appointed to travell with the Nobilitie and their Commiffioners, to reason and conclude upon diverse articles then thought good to be conferritt upon: According to the quhilk commiffion they have proceedit to divers dyatts and conventions, and finallie concludit for that tyme upon the faids heids and articles, as the same produceit in this Assembly proportis. In the quhilks beand confidderit and red are found certaine names, sikk as Archbisshop, Deane, Archdeane, Chancellour, Chapter, quhilks names were found slanderous and offensive to the ears of many of the brethren, appeirand to found to papiftrie: Therfor the hail Assembly in ane voyce, asweill they that were in Commiffion at Leith as uthers, solemlie protests, that they intend not be useing sikk names to ratifie, consent and aggrie to any kynd of Papiftrie or superstition, and wisnes rather the faids names to be changeit into uthers that are not slanderous or offensive. And in lyke manner protests, that the faids heids and articles aggriet upon be only receivit as ane interim, untill farder and more perfyte ordour be obtainit at the hands of the Kings Majesties Regent and Nobilitie; for the quhilk they will prease as occasion fall serve: Unto the quhilk protestation the hail Assembly presently conveyen in ane voyce adheres.

[Anent the names and titles of Archbishops, we think good that they that had the names of Archbishops heretofore, That hereafter in these things concerning the function of the Kirk, they shall use the name of Bishop and not Archbishop. Toward the names of Chapter, Dean and Archdean and Chancellarie, we think it good, that because thir names found to bring in superstition with them, and so offensive to the ears of a great number of the Kirk; therefore desire they may be changed in other names tending to the same purpose; such as the Chapter be called the Bishops assembly; the Dean, Moderator of the said Assembly. As to the function of the Deans, Archdeacons and Chancellers, we think good, that some be appointed be this present Assembly, to try and give in their Judgment concerning the said functions, how far they shall extend in particular; and also toward the function of the Abbots and Priors, and toward the interchanging of all their names in other names more agreeable to Gods word, and the policies of the best reformed Kirks; and they to report the same to the nixt Assembly, or else to the next Parliament, if any happen to be betwixt this and the nixt Assembly. And we think good,

Kirk during the time of the troubles, or otherwise dung and injured, may be restored.

3. To sute at the Regent, That no gift of any Bishoprick or other benefice be given to any person contrar to the tenor of the Acts made in the time of the first Regent of good memory; and they that are given contrar the said Acts, or to any unqualified person, may be revoked and declared null be ane Act of Secret Counsell; and that all Bishopricks vacand may be presented, and qualified persons nominat thereunto, within a year after the vauking thereof, according to the order taken in Leith be the Commissioners of the Nobility and of the Kirk in the moneth of January last; and, in speciall, to complean upon the giving of the Bishoprick of Rosse to Lord Methven.

4. That no pensions of benefices great or small be given be simple donation of my Lord Regent, without consent of the possessor of the said benefices having title thereto, and the admiffion of the Superintendent or Commissioner of the province where this benefice lyeth, or of the Bishops lawfully elected according to the said order taken at Leith; and desire ano act of Counsell to be made thereupon unto the next Parliament, wherein the same be specially inacted, with inhibition to the Lords of Session to give any letters or decreets upon such simple gifts of benefices or pensions, not being given in manner above rehearsed; and that the Kirk presently assembled declare all such gifts null, so far as lyeth in their power.

5. That the first form of presentation to benefices, which were in the first and second Regents time, be not changed as now it is commonly; but that this clause be contained in the presentations, That if the persons presented make not residence, or be slanderous, or found unworthy either in life or doctrine be the Judgment of the Kirk, (to the which alwise he shall be subject,) or meet to be transported to another room at the fight of the Kirk, that the said presentation and all that shall fall thereupon, shall be null and of no force nor effect; and this to have place also in the nomination of the Bishops.

6. That ane Act be made in this Assembly, That all things done in prejudice of the Kirks assumption of the Thrids, either be Papists or others, in giving of fees, liferents or tacks, or any otherwise disposing the said assumed Thrids, be declared null, with a solema protestation, The whole Kirk disassenteth thereto.

7. That ane Act be made, decerning and ordaining all Bishops admitted

be the order of the Kirk now received, to give account of their whole rents and intromission therewith once in the year, as the Kirk shall appoint for such causes as the Kirk may easily consider the same to be most expedient and necessary.

8. Anent the Jurisdiction of the Kirk, That the same be determined in this Assembly, because this article hath been long postponed.

9. To make sute to the Regent and Counsell for remedy against Messengers and excommunicate persons.

10. Last, That order be taken anent the procurers of the Kirk, who procure against Ministers and Ministry, and for sifting of Justice of the Kirks actions in the session.

Thir questions were also presented at this Assembly.

If a Bishop, being elected to a great Diocie, may be admitted beside that to the office of Rectory of ane University or Provest of a Colledge, or any other like charge, or to bruike any inferior benefice.

If controversy rise upon Doctrine, before whom shall it be treated, where the Bishops are placed according to the order of the Kirk: Whether shall the Superintendents Jurisdiction expire or not.

If any Abbot may sett his whole Abbacie in prejudice of his successors and of the Ministry, for the half of the thing it payed before, or otherwise far within the avall.

Thir articles were read in the Assembly with the former letter. The Assembly wrote again ane answer to Mr Knox thus.

We have received your writting, (dear brother in the Lord Jesus,) together with certain articles and questions, the which we have read and diligently considered, and find the same both reasonable and Godly; and therefore we have taine like order as we could for the furtherance thereof, as thir our brethren bearers of this present will declare unto you, beseeking you to comfort yourself in the mercies of God through Jesus Christ. We think it not meet to trouble you presently with long letter, feing our minds are all bent (as we believe) to sett forward the self same cause, which our God hath putt into our hands, to the advancement of his glory

Kirk during the time of the troubles, or otherwise dung and injured, may be restored.

3. To fute at the Regent, That no gift of any Bishoprick or other benefice be given to any person contrar to the tenor of the Aëts made in the time of the first Regent of good memory ; and they that are given contrar the said Aëts, or to any unqualified person, may be revoked and declared null be ane Aët of Secret Counsell ; and that all Bishopricks vacand may be presented, and qualified persons nominat thereunto, within a year after the vaiking thereof, according to the order taken in Leith be the Commissioners of the Nobility and of the Kirk in the moneth of January last ; and, in speciall, to complean upon the giving of the Bishoprick of Rosse to Lord Methven.

4. That no penions of benefices great or small be given be simple donation of my Lord Regent, without consent of the possessor of the said benefices having title thereto, and the admiffion of the Superintendent or Commissioner of the province where this benefice lyeth, or of the Bishops lawfully elected according to the said order taken at Leith ; and desire ane aët of Counsell to be made thereupon unto the nixt Parliament, wherein the same be specially inacted, with inhibition to the Lords of Session to give any letters or decreets upon such simple gifts of benefices or penions, not being given in manner above rehearsed ; and that the Kirk presently assembled declare all such gifts null, so far as lyeth in their power.

5. That the first form of presentation to benefices, which were in the first and second Regents time, be not changed as now it is commonly ; but that this clause be contained in the presentations, That if the persons presented make not residence, or be slanderous, or found unworthy either in life or doctrine be the Judgment of the Kirk, (to the which alwise he shall be subject,) or meet to be transported to another room at the sight of the Kirk, that the said presentation and all that shall fall thereupon, shall be null and of no force nor effect ; and this to have place also in the nomination of the Bishops.

6. That ane Aët be made in this Assembly, That all things done in prejudice of the Kirks allumptions of the Thrids, either be Papists or others, in giving of fewes, liferents or tacks, or any otherwise disponing the said assumed Thrids, be declared null, with a solemn protestation, The whole Kirk disaffenteth thereto.

7. That ane Aët be made, decerning and ordaining all Bishops admitted

and childrene of this warld (quhilkis in thair kynde ar mair bufy and subtill nor the childrene of God) may with Godis help be preventit and resistit : My Lord Regentis Grace and Lordis foirfaidis, considering the equitie and necessitie of the said supplicatioun, ordanis letters to be direct, chargeing all and findrie oure Souerane Lordis subiectis, professouris of Christis Evangell, of all the reformit kirkis within this realme, be oppin proclamatioun at the mercat croces of the heid burrowis of the same, in the parochie kirkis and vtheris places neidfull, That thay, and every particular kirk be thame selff, send and direct thair Commiffioneris sufficientlie authorizit ane or ma, according to the qualitie and quantitie of the personis and rowme, to the Burgh of Edinburgh, or quhair my Lord Regentis Grace salbe for the tyme, the twentie day of OËtober instant, to consult, aduise and deliberat vpoun sic materis and overtures as may be proponit to my Lord Regentis Grace, and oure Souerane Lordis Privie Counfall foirfaid, tending to the preventing, resisting and mutuall defence of the professouris of Christis Evangell within this realme, fra the furious rage and lawlis creweltie of the bludy and tressonable papistis, executouris of the decreis of the said devillishe and terrible Counfall of Trent ; and in sic thingis further as may advance Godis glorie and trew religioun foirfaid, as everie reformit kirk will thairby declair thair ernist and christiane affectioun to the same, in sa present perrell and commoun danger : grantand alsua full libertie, licence, protectioun and assurance to all Commiffioneris of kirkis, quhair evir thay dwell in ony partis of this realme, howsoeuir, in tyme by-gane, thay haue bene inobedient to his Hienes autoritie, That thay may faulshie and frelie hant and resort and cum to the day and place appointit, and thair remane during the tyme of the Conventioun to be kepit for this purpose ; quhair alsua thay salbe admittit to haue frie speche and vote, and to returne at thair plesoure to thair dwelling places, without stop, trouble, arreist, searche or impediment to be maid to thame in bodyis or gudis, for the space of fyvetene dayis eftir the said twentie day of OËtober, including alsua the tyme of thair travell preceding the said twentie day : Certifeing all sic as fall require particular licences and assurances for this effect, that, vpoun thair desyre, the same salbe grantit to thame ; commanding all our Souerane Lordis officiaris, liegis and subdittis, That nane of thame tak vpoun hand to violat this present licence, protectioun and assurance, under all hieft pane, charge and offence, that thay and euery ane of thame may commit and intrin aganis his Maiestie in that part. Reg. Sec. Conc.]

[The Heads and Articles which are to be proponed in the name of the Ministers, Barons, and Commissioners of Kirks, to the Regents Grace, Nobility and Counsell.

The Assemblie of the Kirk convenit at Edinburgh, the 20 of October 1572, according to the Proclamatioun, First, hes thocht expedient in fa far as this present Conventioun is institute to provyd remeid aganis the trefsonable crweltie of the papistis, and to resist the samyne, to mitigat the wrath and indignatioun of God, quhairby thaj ar steirit vp aganis ws for our finnis, Thair falbe ane publict humiliatioun of all thame that feiris God and professis his trew religioun, with publict prayer and fasting throchout this hail realme, to begin the xxij day of Nouember nixt to cum, and to end the last day of the said moneth : And to the effect, that thaj quha ar notorious offendaris and publick slanderers of the Kirk may be brocht to amendment of lyff, or els be excludit furth of the Societie of the faithfull, It is thocht expedient, that betuixt this and the xxij day of Nouember, in all provincis and parochie kirks quhair the ordour of discipline is, the Superintendants, Commissionars of cuntries, Ministaris and Eldaris, fall call befor thame at appointit dayes all notorious offendaris within thair jurisdictionis, sic as murthoreris and assistaris of murthoreris, adulteraris, furnicatouris, roberis of the patrimonie of the Kirk, or vther menis possessiouns, and siclyk vtheris criminal personis in all estaitts, beginand at the Ministerie and Nobilitie, and sa proceeding to all vtheris, that wickitnes and such hynous crymes that offendis the majestie of God, may be purgit furth of this cuntrie. And speciallie, that it may be knowin that Ministaris quha aucht be good exempel, alsueill be doctrine as lyff, to provok vtheris to godlie conversatioun, be not exemit, bot rather first tryit, it is thocht necessar, that all Superintendants and Commissionaris of cuntries tak diligent inquisition of the lyfe of all Ministaris, Exhortaris and Reidaris, and quhat faltis falbe fund, leveir correctione to follow thairvpone, according to the natur of the cryme. And in caice Ministaris fould appear to conceall thair awin imperfectionis, that all men be requyrit to declair to the Superintendantis and the Commissionaris the vyces that thaj knaw to be in thame : And in lykwayes, becaus in the reformatioun of the Nobilitie consistis the chieff exampill of the hail cuntrie, we crave nocht onlie a general reformatioun of such imperfectionis as ar in

thame, but als that fuch vycis as in particular falbe gevin in to thame be amendit ; sic as that thaj be reformat in the wrangous vsing of the patri-
 monie of the Kirk, applying the same to their particular vse, to the great
 hurt of the Ministerie, the Scullis and Poore : And that the Commonis
 may be eased be thame, baith in paying of their teinds and vtheris dew-
 ties, in respect of thair great pouertie ; and that thaj may amend thair
 great negligence in tymes past in puneiffing of vyces, throchout this hail
 realme, siclyk as incest, adulterie, bloodscheduling, and forcerie, &c. ; and
 that thair may be notabill personis deput with commiffions for that effect
 to execute the same ; and that sic as haue reffaut commiffion alreadie,
 to be chargit to proceid thairin : And that the actis of Parliament and
 Counsaillis maid aganis the brekaris of the Sabbath day may be likewise
 execute. Onto the quhilk heids contenit in this article we desyre my
 Lord Regents Grace and Counsell to aggrie, and to authorise the same.

Secundlie, As concernyng the papistis that be in this cuntrie zit re-
 manyug, That thaj without all exceptionis of personis, grit or small,
 falbe chargit alsueill be the Counfall as Ministerie, to compeir at certane
 dayes, as falbe appoyntit, before fuch as the Kirk and Counsell shall ap-
 point to giue confessioun of thair faith, according to the acts of Parlia-
 ment ; and fuch as have nocht recantit, to mak thair publict recanta-
 tionis ; and thaj that are excommunicat for that caus, to vnderly sic in-
 junctiouns as falbe laid to thair charge ; and gif any of thame failzies
 heirin, their hail guidis and geir to be confiscat, and thame selffis banist
 off the cuntrie ; and thaj that ar beneficed personis, thair benefices to
 vaik, and to be disponit to qualifeit personis ; and if thaj (being de-
 cernit to be banist) be fundin heirefter in the cuntrie, it falbe lesum to all
 the subjectis in this realme to invaid thame and euerie ane of thame to the
 deith, as enemies to God, the King, the Kirk, and the commoun weill of
 the realme ; and that sic as be convict be the law alreadie, or may be con-
 vict, be execute with all rigour ; and all vtheris that be excommunicat for
 ony vther cryme or offence, falbe callit lykwayes to particular dyatis, to
 satisfie the Kirk, or els to incur the lyk panis and punifment as is befoir
 specifit ; and that thaj that resetts and mantenis thame, if after due ad-
 monition they desist not from their company, falbe haldin partakaris with
 thame, and be comptit in the rank of papistis, to be punist in semblable
 maner.

And forder, we desyre that the Act of Parliament be put to execu-

tioun, That nane be admittit to publict offices of Counfall, Sessioun, or vtherwayis, that ar knawin to be papifis, or mantenearis or fauoraris of papifis : Also, becaus thair is Mefs said in certane places of this cuntrie, as in auld Abirdene, Dunkeld, Paflay, Eglingtoun, That thair be a speciall day assignit to affemble all the professouris of the religioun in places nixt adjacent to the boundis quhair the said Mefis ar vfit, for apprehending of the Mefs sayaris ; and also the heiraris to vnderly the law : Lykwayes, incaifs this present diuifioun tak sum aggrement and concord, That nane be comprehendit thairin bot sic as falbe obleift for the maintenance of the religioun aganis the enemies thair of : Attour, That all such personis, as haue (sen the Reformatioun began) socht from the Paip billis or benefices, falbe haldin as papifis, and pvnift thairfoir, conforme to the act of Parliament ; and that all professouris of the religioun having benefices, and able to preitch, may be chargit to do thair office, seing that it is not reffonable that thaj tak vp the leiving, and remayne ydill.

Thirdly, For resisting of the papifis of forane cuntries, alswell within as without, that my Lord Regents Grace and Nobilitie fall caus such ordour, That ane League and Confederacie be maid with our nyctbouris of Ingland, and vther cuntries reformit and professing the trew religioun, that we and thaj be joynit togidder in mutuall amitie and societie, to support euerie ane vther, quhenfoeuer tyme or occasioun fall serue for maintenance of religioun, and resisting of the enemies thair of : Lykas, That ane solempnit band and aith may be maid be all thame that be professouris of the Evangell within this realme, to joine thame selfis togidder, and be reddie at all occasiouns for resisting the enemies foirfaids : And gif any beis fund negligent thairin, he falbe haldin for ane false broder, and excommunicatioun to proceid aganis him. Pollock M.S. & C.]

A. D. M.D.LXXII.

THE Generall Assemblie haldin in the Counsell hous of Edinburgh, the 6 day of Marche 1572: In the quhilk were present Barrons, Superintendents, James, Bisshop of St Androes, Commiffioners to plant Kirks, Minifters, Commiffioners of Provinces, Townes, Kirks, Univerfities. David Fergusone, Moderatour.

Sessio 1^a

[In the trial of Superintendents and Commiffioners to plant Kirks, John Brand Minister of Halyrudhouse compleaned, That the Bishop of Sanct Andrews admitted a Popish Priest called Sir John Forret, to minifter the Sacrament of Baptisme in the Merce in Swinton, to whom the Superintendent of Lothian had of before given certain injunctiōns which the said Priest had not yet fulfilled. It was generally compleaned, That he had not visite the Kirks within the bounds of Fife this half year bygane; and also for not preaching since he was a Bishop. To the first he answered, That the foresaid Priest recanted all Papistrie in the Kirk of Sanct Andrews; and thereafter he admitted him to administer the Sacrament of Baptisme. The Assembly ordained the said Popish Priest to repair to the Superintendent of Lothian to receive his injunctiōns; and in the mean time to be discharged of all office and function in the Kirk. To the second he answered, That he preached in every Kirk which he visite be himself at all times, but excuses his not visitation since the last Assembly be reason of his sickness.

The Superintendent of Angus and Mernes was accused, for not making exhortation at the beginning of this Assembly according to the order. He excused himself be reason of the Sermon made in the Kirk, ended immediately before, and the advice of some brethren, who thought it not needfull, yet submitted himself to the correction of the Assembly.

Mr George Hay, Commissioner of Aberdeen, was compleaned upon, That he had one benefice in the North, another in the South, and was also Commissioner to plant kirks, of the which charges he could not sufficiently discharge himself. He answered, That he served the cure in the North be himself, and hath provided one who sufficiently will discharge the cure in the benefice in the South; as to the Commissionarie, He is content to demitt the same presently, if the Assembly think it good.

Mr David Lindsay, Commissioner of Kyle, Carict and Cuninghame, was compleaned upon, That he left his congregation destitute, the time that he visited the west country. He answered, That the Kirk was sufficiently provided the time of his visitation: To the Commissionarie, He is content to be discharged thereof as the Assembly thinketh meet.

Mr John Row, Commissioner of Galloway, was compleaned upon, That he had plurality of benefices, but they knew not how the Kirks were provided of preaching. He answered, That he had two Viccarages, but reapeth no profite of them; and withall desired to be disburthened of the Commissionarie of Galloway. C.]

Item, Master Johne Row complainit upon for solemnizing the band of matrimonie betuixt the Master of Craufurd and the Lord Drummonds Daughter without proclamatioun of bands, and, in lyke manner, out of dew tyme, viz. on a Thursday at afternoon prayers, anfuert, That he did nothing bot the command of the Sessioun of his Kirk and my Lord Ruthven, ane speciall ane of the elders of the said Kirk.

The Kirk presently assemblit ordaines the Act made against Ministers that marries vther parochiners without proclamation of bands, to have effect and strenth agains Mr John Row, [for solemnizing of the foresaid marriage, and] to vnderly the samein dureing the Kirks will.

[The Assembly ordained all Superintendents and Commissioners to plant kirks, to give in their diligence of their visitations; and appointed Mr William Clerk, Minister of Anstruther, Mr Archibald Keith, Minister of Peterhead, George Scot, Minister of Kirkaldie, James Anderfone, Minister of Beduchie, John Dykes, Minister of Culros, Robert Fairlie of Braid,

Patrick Kynninmouth, to convene before the end of the Assembly; and what they find in the same diligences to report to the Assembly.

The whole brethren assembled in one voice gave their full commission and power to their brethren underwritten, viz. John Bishop of Sanct Andrews, John Areskine of Dun, Knight, Superintendent of Angus and Mernes, Mr John Winram, Superintendent of Stratherne, Mr Robert Pont, one of the Senators of our Sovereign Lords Session, Mr John Row, Mr David Lindsay, Robert Fairlie of Braid, Adam Fullerton, one of the Commissioners of Edinburgh, to concur with the Lord Regents Grace and Counsell, or with so many as his Grace shall appoint, to reason with them of such heads and articles as shall be proposed by my Lord Regents Grace and Counsell, or by the Assembly to his Grace, and to conclude thereupon, according to the instructions given to them by the Assembly, and to report their conclusions before the end of this Assembly. C.]

The Kirk assembled, for certain good considerations moving them, statutes and ordaines, That no collections for the pure be made in the tyme of the ministratioun of the tabill of the Lord Jesus, nor yet in the tyme of the sermons, hereafter within kirks, but only at the kirk doores.

Session 2^a

[The Assembly, for certain causes moving them, continued in the office of Commissionarie to plant kirks, till the next Generall Assembly, the persons underwritten, Mr George Hay for Aberdeen, Mr Donald Monro for Rosse, Mr David Lindsay for Kyle, Carict and Cunninghame, Mr John Row for Nithisdail and Galloway, Mr Andrew Hay for Cliddisdail, Ranfrew and Lennox.

The Assembly appointeth the Superintendent of Stratherne, Mr Robert Pont, one of the Senators of our Sovereign Lords Colledge of Justice, Mr John Row, Mr Andrew Hay, and John Johnstone, one of the Commissioners of Edinburgh, to convene the morne at two hours afternoon, to pen the heads and articles to be presented to my Lord Regents Grace and Secret Counsell, &c.; that thereafter they may be read, &c.

Sessio 3^a

Forfamikle as it is thought that diverse Ministers and other persons that have received benefices since the Reformation, make no residence at their kirks, nor yet discharge their office according to the tenor of their admissions, for the reformation hereof, C.] The Kirk assemblit statutes and ordaines all Ministers and vther benefit persons that hes receivit benefices since the Reformation, to make residence at the kirks quher their benefices lyes, and vse their office according to the tenour of their admissioun ; and if any beis found to doe in the contrair, that they be callit to particular dyatts befor the Superintendents or Commiffioners of the provinces quher sikk benefices are, to quhom the Kirk gives power to depose the saids persons in their visitations, for none residence ; and quhatevir anie of the saids Superintendents or Commiffioners happins to doe in the premisses, to report to the next Assemblie.

[The Regent sent to the Assembly the request following for Mr Knoxes Wife and Children.

Reverend fathers, trustie and well belovits, We greet you heartily well : Seing John Knox, Minister of the word of God, is now departed this life, after his long and faithfull travells in the Kirk, leaving behind him Margret Steuart his relict, and his three daughters begotten of her, unprovided for ; and seing his deferts merit to be favourably remembred in the help of his posterity, We will, effectuously require, and pray you, to give and conferr to the said Margret relict and three daughters foresaids the pension which the said unquhill John had of the Kirk in his time, for the next year after his decease, viz. of the year of God 1573 years, to their education and support, extending to five hundreth merks money, two chalders of wheat, six chalders bear, four chalders oats, to be lifted for that year out of the famine assignations and places that he had it of in his time ; wherein we doubt not but ye shall doe a work acceptable to God ; and We will also receive it in thankfull and good pleasure : Thus we committ you to God. At Edinburgh the 26 day of November 1572, Your assured friend,
JAMES REGENT. C.]

The Affembly remembring the long and fructfull travells made in the Kirk of God be vmquhile John Knox, Minister of Edinburgh, lately departed in the mercy of God, leaving behind him Margret Stewart his relict and his three daughters gotten on her unprovided for, and feing his long travells and deserts merites to be favourable remembrit in his posteritie, being also required most earnestly thereto be my Lord Regents Grace, as his letters direct thereupon bear, have granted and consented to give, and be the tenor hereof grants, gives, consents and dispones to the said Margret relict, and her three daughters of the said vmquhile John, the pension which he himself had in his time of the Kirk, and that for the geir nixt approachand and following his deceis, viz. of the geir of God 1573 geiris, to their educatioun and support, extending to five hundreth marks money, tua chalder wheat, sax chalder beir, four chalder aittis, to be uplifted for that year allanerly out of the famine assignations and places that he had it in his time ; and therefore requires, and in the name of God desires, the Lords of Counsell and Session to grant and give letters, at the instance of the said relict and bairns of the said unquhill John Knox, to cause them be answered, obeyed and payed of the said pension of the year forsaide, in the same form, and better if need be, as was granted to himself in his time. C. & B.]

[Richard Bannatyne Servitor to unquhill Mr Knox presented the supplication following.

Unto your Wifdoms humbly means and shews I your Servitor Richard Bannatyne servant to your unquhill most dearest brother [John Knox] of worthy memory, That where it is not unknowen to your Wifdoms that he left to the Kirk and town of Edinburgh his history, containing in effect the beginning and progress of Christs true religion, now of Gods great mercy established in this realme, wherein he hath continued and perfectly ended at the year of God 1564 ; so that of things done sensyne nothing be him is putt in that form and order, as he hath done the former ; yet not theless there are certain scrolls, papers and minutes of things, left to me be him to use at my pleasure, whereof a part were written and subscribed with his own hand, and another be mine at his command, which, if they were collected and gathered together, would make sufficient declaration of the principall things that have occurred, since the ending of his former history

at the year forsaide, and so should serve for stuf and matter to any of understanding and ability in that kind of exercise, that would apply themselves to make a history even to the day of his death: But forsamikle as the saide scrolls are so untacked and mixed together, that if they should come in any hands not used nor accustomed with the same, as I have been, should altogether lose and perish; and seing also I am not able, upon my own costs and expences, to apply myself and spend my time to putt them in order, which would consume a very long time; much less am I able to write them, and put them in Register as they require to be, without your Wifdoms make some provision for the same; wherefore I most humbly request your Wifdoms that I may have some reasonable pension appointed to me be your Wifdoms discretion, that thereby I may be more able to awaite and attend upon the same, least that these things done be that Servant of God, who was dear unto you all, should perish and decay, which they shall doe indeed, if they be not putt in Register, which I will doe willingly, if your Wifdoms would provide as saide is. And your Wifdoms answer, &c. C.]

The Kirk [accepted the saide Richards offer, and] requesitit the Kirk of Edinburgh to provide and appoint some learnit men to support Richard Bannatyne to put Johne Knox History, that now is in scrolls and papers, in good forme [with aid of the saide Richard]; and, because he is not abill to awaite thereupon upon his awin expensis, appoints to him the sowne of xl lb. to be payit off the lxxij zeirs crop, [be the collectors underwritten, viz. the Collector of Lothian, Fife, Angus, and the West, Galloway and Murrey, and every one of them to pay six pound thritteen shilling four pennies off the saide crop; and it shall be allowed to them at compt, bringing the saide Richards acquittance thereupon.

Sessio 4^a

For the more heastie dispatching of complaints, requests and questions, were appointed the brethren underwritten, viz. William Christefone, Minister of Dundie, Mr James Balfour, Minister of Guthrie, Mr Robert Hammilton of Sanct Andrews, Mr John Young of Irving, Mr William Clerk of Anstruther, Mr James Greg of Commonell and David Ramsay of Cleish, Ministers respectivé, to conveen instantly in any place where

they please, and read the saids complaints, requests and questions, and give answer to the same; and what they find difficult, to send it again to the whole Assembly.

Session 5^a

The Assembly ordaineth every Superintendent and Commissioner to plant kirks, That they appoint Ministers, exhorters and readers to mee kirks then one according to the necessity of congregations and rarity of Ministers, as the Superintendents and Commissioners forsaids shall think meet and convenient, as they will answer to the complaints of the congregations, which hereafter shall have just cause to lament to the Generall Assembly.

Session 6^a

The Session of the Kirk of Edinburgh requested the Assembly to appoint one of the Ministers underwritten to be joined with Mr James Lowson already placed, to wit, David Fergusone, John Braid, George Scot, now Ministers of Dumfermline, Halyrudhouse and Kirkaldie. The Assembly giveth commission to their loving brethren, John Bishop of Sanct Andrews, John Areskine of Dun, Knight, Superintendent of Angus and Mernes, Mr John Spotswood, Superintendent of Lothian, Mr John Winrame, Superintendent of Stratherne, with advice of the Session of the Kirk of Edinburgh, to choose one of the forenamed, or otherwise satisfy the desire of the said Kirk of Edinburgh: and sikklike another for the Kirk of Jedburgh; and whomsoever they shall happen to choose, the Assembly shall cause him enter, and this to be done before they depart out of this town.

The Assembly, for certain causes moving them, discharge Alexander called Bisshop of Galloway to use any function within the Kirk of God, till they be farther advised; and ordaineth Mr John Row, Commissioner of Galloway, to summon the said Alexander, To compear before the next Generall Assembly to answer to such things as shall be laid to his charge, under the pain of Excommunication, &c.

The Assembly ordaineth the Superintendent of Strathern to pass to

Sanct Johnstoun and take order with Mr John Row and the Session of that Kirk, for the Solemnizing of the marriage betwixt the Master of Crauford and the Lord Drummonds daughter; and to report the order he shall happen to take therein to the next General Assembly. C.]

Ordains all and sundrie Superintendents and Commissioners to plant kirks, To proceed summarlie to excommunication against all Papists within their provinces, and that within eight dayes after they be admonishit to joyne themselves to the religion presentlie establishit within this realme, be hearing of the word of God, participating of the sacraments, subscribe and give their aith according to the Act of Parliament, and Acts aggriet on betwixt my Lord Regents Grace and Secret Counsell and the Kirk, [and if any shall refuse to proceed, &c. P.]

[Forfamikle as my Lord Regent desires to see the Acts of the Generall Assembly heretofore holden, and to see how many of them be perpetuall, and how many temporall, the Assembly agreeth therewith, and for that purpose appointeth their brethren, Mr John Spotswood, Superintendent of Lothian, Mr Robert Pont, one of the Senators of our Sovereign Lords Colledge of Justice, Mr David Lindsay, Mr James Lowson, Mr Clement Little, Advocate, and John Brand, Ministers of Leith, Edinburgh and Halyrudhouse respectivé, to convene with my Lord Regents Grace and Secret Counsell, to oversee the Acts of the General Assembly according to my Lord Regents Graces desire.

The Assembly ordaineth my Lord Argiles process against Jean Stewart his spouse, to be considered and fighted be the Session of the Kirk of Halyrudhouse, with advice of the Superintendent of Lothian; and if it be sufficiently and lawfully proceeded, that the said Superintendent direct his letters to the Minister of Halyrudhouse, charging him to proceed to excommunication against her, and that the said excommunication be published in the kirks of Edinburgh and Leith be the Ministers of the saids kirks.

Anent the difficulty of the question of divorcement betwixt my Lord Argile and Jean Stewart his spouse, the Assembly appointed Mr Robert Pont, one of the Senators of our Sovereign Lords College of Justice and Minister of Gods word, Mr David Lindsay of Leith, Mr James Lowson of Edinburgh, Mr Clement Little, Advocate, and Alexander Arbuthnet, Principall of the Colledge of Aberdeen, Mr John Row, Minister of Perth, Mr John Craig, Minister of Gods word, Mr Robert Hammlton, Minister of Sanct Andrews, that they or any five of them convene with such persons as my

Lord Argile shall appoint to reason the said question of divorcement, and that the said brethren convene the next day after the dissolving of this Assembly: and the question being reasoned and brought to ane head wherein doubt standeth, wherein the said brethren cannot then instantly give resolute answer, that the same head be penned in proper terms, which my said Lord shall send to such reformed Kirks as shall be named be the forsaid brethren, upon his Lordships own expenses; whose resolution being authentically obtained, the Assembly promiseth to give to his Lordship their declaration conforme thereto.

Sessio 7^a.

Forfamickle as fundry Superintendents and Commissioners to plant kirks, come not to the Assembly the first day, wherethrough fundry matters are undone, which might be sped and dispatched; and also other some depart before the dissolving of the same, wherethrough fundry matters are unresolved for laike of sufficient number: For eschewing of the premises and for establing of better order in time to come, C.] It is statute and ordainit be universall ordour of this Assemblie, That all Bischops, Superintendents and Commissioners to plant kirks present themselves in every Generall Assembly that heirafter shall be holdin, the first day of the Assemblie before noone; and that they remaine quhill the end of the same, under the paine of the tinfell of ane halfe of their stipend for ane zeir, and notwithstanding to serve in the mean tyme of the wanting of the said portion of the stipend.

[Anent the hearing of the collectors compts at the Chekker, at what time my Lord Regents Grace shall appoint the same to begin, The Assembly appointeth John Bishop of Sanct Andrews, John Areskine of Dun, Knight, Superintendent of Angus and Mernes, Mr John Spotswood, Superintendent of Lothian, Mr John Winrame of Stratherne, Mr John Row, Commissioner of Galloway, Mr Andrew Hay Commissioner of the West, Mr George Hay Commissioner of Aberdeen, Mr David Lindsay, Commissioner of Kyle, Carict and Cunninghame, Mr Donald Monro of Rosse, Mr Robert Pont of Murrey, Commissioners respectivé, to convene the said time to be appointed as said is, to hear the saids collectors compts, with the rest of the Lords of our Sovereign Lords Chekker, allow and approve, or dis-

allow according to their wisdom and conscience, and after the said compts shall be made, to subscribe the same according to the order taken, &c.

Touching the complaint given in be Mr Robert Scot against Mr John Winrame, Superintendent of Stratherne, for refusing to give him his letters testimonials of the Vicarage of Strathmiglo, and for not admitting him to be reader in the said kirk, conform to my Lord Regents Graces presentation, The Assembly findeth the said superintendent to have done wrong, in refusing the said letters testimonials conform to the presentation forsaid, and giveth full power and commission to the Ministers, elders and deacons of the congregation of Sanct Andrews, to take cognition, decide and conclude upon the whole rest of the said Roberts complaints yet undecided, vocatis ad hæc quorum interest, and is to be done betwixt this and the next Generall Assembly; and to report their proceedings to the same, as in the former Act. C.]

Anent my Lord Regents Graces desyre touching [the placing] of some of the learnit Ministers to be Senatours in the Colledge of Justice, The haill Kirk presentlie assemblit having at length reasonit, Whether a Minister were able to discharge himselfe of both the vocations, votit throughout, That nane was able or apt to beare the saids twa charges, and therfor inhibits that any Minister occupying the vocation of the Ministrie take upon him to be a Senatour; Mr Robert Pont only excepted, who is already placit with [advice and] consent of the Kirk.

[John Arefkine of Dun, Knight, Superintendent of Angus and Mernes, in respect the whole Diocie of Sanct Andrews is decerned be the Assembly to pertain to the Bishop of the same, protested, That he be no more burthened with any visitation in these bounds pertaining to the said Bishoprick; and in like manner, pertaining to the bounds within the Bishoprick of Dunkeld, how soon any Bishop shall be provided thereto.

In like manner, Mr John Spotswood, Superintendent of Lothian, protested, ut supra.

The Assembly referred to the Commissioners appointed to reason with my Lord Regents Grace and Secret Counsell, to take order anent these protestations with his Grace and Counsell, and what they doe, to report to the next Assembly.

Ordaineth the Commissioners already appointed to conferr with my Lord Regents Grace and Secret Counsell, to continue in commission before given, and it to stand in the same force and effect as is contained therein; and

moreover to conferr with the Lords of Articles of Parliament, if any shall be holden in the meane time, till the nixt Generall Assembly; and to report then the heads concluded on be them, to the effect that they may be insert in the Register among the rest of the Acts.

Item giveth commission to the forsaide Commissioners to choose a collector for the province of Aberdeen, with advice of the Ministers of the said province; which advice and opinion the Assembly ordains the saids Ministers to fend to the forsaide Commissioners betwixt and the 24 of Aprile nixt to come.

The brethren appointed to decide questions and complaints reported the famine answered. C.]

[Articles and conditions presented be the Superintendent of Lowthiane and Ministers within his Jurisdiction, penned and subscribed be them in their Synodall Convention holden at Edinburgh, the 6 day of October: The tenor whereof followeth.

In primis, The brethren of the forsaide Convention craved, That a copie of the Acts of the Generall Assemblie be given to every Exercise, to the end that every Minister may have knowledge what order to observe in their proceedings, for it is most certain, that through ignorance of the fore-saids acts many faults are committed which otherwise would not be done.

Secondly, It is craved be the brethren, That sick matters as falls out betuixt the Synodall Conventiouns and Generall Assemblies salbe headed and notit at every Exercise, 20 dayes befor the Generall Assemblie, that the brethren may be ripely advised with the famine, where through many things may be ended, which through laike of advisement suffer delay from Assembly to Assembly; at the which time it is craved, that the brethren have their places in voting, and that no brethren be defrauded thereof, That the weighty matters of the Kirk be not concluded be a few, as often times they are without knowledge or consent of the brethren. C.& B.]

Thirdly, That sick matters as are referrit to the Generall Assemblie be the Particular, be pennit be the Superintendents Clerk, and faithfully reported to the Generall Assembly be the said Superintendent.

Fourthly, That the Generall Assembly be frequent with the Nobilitie and Barronis, as weill as Ministers, that the face of the Assembly may be had in reverence as in foir tymes.

[Fiftly, It is required, That the whole rents, as well victualls as of money within the Collectorie of Lothian, be made known to all the brethren in these bounds, what is received thereof, and how it is disponed; and for this purpose, that the brethren of all parts be chosen at the Synodall convention to hear the collectors compts, as well of the rests of the former collector, as also since his own entry: Also, That the injunctions given to the collector may be read every Synodall convention, and triane how they are obeyed, but specially concerning the assignation of victualls to Ministers on the Kirks proces; and that the collector according to the liberty granted to every Synodall convention may be alone discharged.

Sixtly, That the collectors officers charge for repairing of Kirks.

Seventhly, That all ministers may have assignation of their stipends.

Eightly, That the extracts of the Superintendents office registred in the Book of Discipline, may be given to the Minister of every province, to the end that the Superintendents may be tryed thereby, and as that they are found dilligent, to be continued or changed.

Nintly, That the procurators of the Kirk may be examined, Why they are so slack and negligent in the Kirks matters. C.]

Tently, That sick Ministers as hes not quherwith to buy bookes, may have bookes loufit to them be the collectour, and to allow the pryces therof in their stipends.

[The Articles were subscribed as followeth,

William Harlaw,	Andrew Simfone,	Matthew Liddell,
Mr Adam Letham,	Mr William Strang,	Thomas Lichton,
Patrick Gilespie,	William Knox,	Mr George Ramfay,
David Hume,	John Spotswood,	Michael Bonkle,
Mr Walter Ballingall,	David Lindfay,	Andrew Simfone,
William Lamb,	Adam Johnstone,	John Clapperton,
Mr Thomas Makgie,	Thomas Daill,	Mr James Carmichall,
Richard Fleming,	George Thomfone,	William Sanderfon.

The Kirk approves and ratifies all the forsaide articles as neccessar and profitable. C.]

Questio. It is asked if it be not very good and necessar for the Kirk, That Bishops, Superintendents and Commillionars purchase generall letters without delay, commanding all men to frequent preaching and prayers, according to the ordour receivit in their congregations; and also to charge the Magistrate to put the acts concerning the observance thereof, as weill grantit be Parliament, as frielie with uniform consent the congregations hes condescendit vpon, and for execution of discipline and punisshing of vices; and the same to be putt in full execution and practice. **Answer.** It is thought most reasonable and expedient; and burtheneth Bishops, Superintendents and Commillioners to purchase generall letters without delay to the same effect. C. & B.]

[Q. What order shall be taken with them, that being admonished and making publick repentance for adultery, falleth again in the same crime. A. Refer to the Act of Parliament. C.]

[Q. If any man leave his wyfe and passe out of the countrey, and taries away the space of sevin zeirs, and marries another woman in a strange country; and else his first wyfe be married upon another man in his absence, Whither is the woman that marrieth before the returning of her husband guilty of adultery. A. Both are adulterers, unlesse the sentence of divorcement had bein pronouncit be the Judge. C. & B.]

[Q. Whither it be necessar, That the names of excommunicants be published in all the reformed Kirks of that province and diocie where the excommunicants dwell, that no man pretend ignorance, and so haunt their company through ignorance. A. Refers to the acts of the Kirk made already thereanent.

Q. Whither be the word of God in New and Old Testament it is lawfull, That the two charges of function, to wit, the speciall administration of the Word and Sacraments, and the ministratioun of the Criminall and the Civill Justice in Judgement, be confounded, so that one person may occupy both cures. C.] A. It is neither aggrievable to the word of God nor to the practise of the primitive Kirk, That the speciall administratioun of the Word and Sacraments, and the ministratioun of the Criminall and Civill Justice be so confoundit, that one person may occupie both the cures.

[Whither it be leasom be the word of God and good order received, That such as are promoted to the sacred vocation of the Ministry may leave the vocation, no fault or impediment lawfull being in them. A. Refers to the answer already given be the Generall Assembly, as the act thereanent reports.

Q. Whither if a Minister having hundreth merks or hundreth pounds of benefice, should have his stipend augmented or not. A. The Ordinar ought herein to take order according to his ability that requireth the benefice.

Q. What shall be done to the Minister that is provided to a benefice and will not perswew the same, but loseth it for fault of perfute. A. Caveat Emptor.

Q. Whither if ane Abbot, Prior, or other beneficed man may fet the assumed thrid of his benefice in few, or long tacks, or not. A. Refers to the acts of the Generall Assembly.

Q. In respect of the act of Parliament and ordinance craving every Ministers residence; the Minister and reader both making residence at one kirk, having but one gleeb, Whither shall the Minister or reader be eased with the gleeb. A. The Assembly thinks, that the Superintendent should take such order, as that the Ministers be eased in speciall. C.]

A. D. M.D.LXXIII.

THE Generall Affemblic begun and haldin [in the Tolbooth] at Edinburgh the 6 day of August 1573 : In the quhilk were present the Erles, Lords, Barrons, Bischops, Superintendents, Commissioners to plant kirks, Commissioners of Provinces, Townes and Kirks, with the Minifters. Mr Alexander Arbuthnot was chofen Moderatour.

[It was voted first, That the place of this Affembly should be as sufficient as if it were holden in Dundie. C.]

Sessio 1^a.

Because it is understand that certaine of the Nobilitie of this realme and Secreit Counsell are to repare to this Affembly, therefor the hail brethren ordaines, That the hail Nobilitie and Counsell, with Commissioners of Provinces, Townes and Kirks, having power to vote, fall fitt within the barre of the said over Tolbuith ; and all vthers without the same.

[In the trial of Superintendents and Commissioners, Mr John Douglafs Bishop of Sanct Andrews was accused for giving collation of the benefice of Pitcols, which was before given to a Minister, to Mr George Lawder who had three other benefices, preached not, and was suspect of Papistry ; that John Wemes of Brunteland entertained a Dutch woman as his wife, his own wife undivorced, and no order taken with him ; Mr Magnus

Haleio excommunicate long since for adultery and haunting the company of Steuart, is not taken order with. Item, That he vifeteth be others and not be himself, and through his default, the Exercife of Sanct Andrews is like to decay; that fuch as have offended in Lothian he receiveth in Sanct Andrews; and admitteth fome to function in the Kirk, unable and untried, chiefly fuch as come out of Lothian and Merce. To the firft he answered, That he knew not that Mr George Lawder had moe benefices then one, and farther he enjoined him to haunt the Univerfity of Sanct Andrews for a feafon, or the Exercife of Dumbar: As to the fecond, He remitted him to his book of vifitation: As to the thrid, Remitteth to the procefs againft Mr Magnus: As to the fourth, Because of the rarity of people now in time of harveft, it is fuperceded till his returning.

Mr James Paton, Bifhop of Dunkeld, was delated, That he had received the name of a Bifhop, but they had not heard that he had ufed the office of a Bifhop within his bounds: Answered, That he had lately received that Bifhoprick, and that there was a Superintendent continued in that bounds till this Affembly. He was accused likewise, That he had not proceeded againft Papifts, and chiefly againft the Earle of Atholl and diverfe others within his bounds: That he was fufpect of Simonie committed betwixt him and the Earle of Argill, anent the profite of the Bifhoprick; and fufpected of perjury in receiving of the faid Bifhoprick, because he giveth acquittances, and the Earle receiveth the Silver of the faid Bifhoprick. Item, For voting in Parliament anent the Act of Divorcement lately made in prejudice of the Affembly, who had fufpended their Judgement in this matter till farther advifement, according to the Act of the laft Affembly.

Sellio 2^a.

Mr George Hay, Commiffioner of Aberdeen, was accused upon fundry heads, and he was ordained to make answer in writt this day afternoon.

Mr Robert Pont, Commiffioner of Murrey, was accused, That he made no refidence in that countrey, and that he vifite not the kirks of the fame the two years bygane, except Inverness, Elgine and Forrefts, nor had appointed manfes and glebs according to the Act of Parliament: Answered,

He had no leasure to doe the forsaids, because it behoved him to return before the last of June. C.]

[The Affembly appointed John Durie, one of the Ministers of Edinburgh, David Hume, Minister of Aldhamstocks, Mr Roger Gordon of Qubitterne, Mr Peter Primrose of Mauchlin, Mr David Cunninghame of Monklane, Mr John Keith of Duffus, Mr Archibald Keith, Mr James Melvill, Alexander Keith, Thomas Morifone, Alexander Young and Peter Watson, to visite the books of visitations of Bishops, Superintendents and Commissioners to plant kirks, and to report what they find before the next Affembly. C. & B.]

[The Affembly giveth full power and commision to their loving brethren, John Areskine of Dun, Knight, Superintendent of Angus and Mernes, Mr John Winrame, Superintendent of Stratherne, Mr Robert Pont, Commissioner of Murrey, and one of the Senators of the Colledge of Justice, Mr John Row, Commissioner of Galloway and Nithisdail, Robert Fairlie of Braid, Thomas Scot of Abbotshall, James Johnston of Elphinston, Adam Fullerton, Mr David Cock, David Marr and Robert Red, Commissioners of Edinburgh, Sanct Andrews, Aberdeen and Dundie respectivé, to concurr with my Lord Regents Grace and Lords of Secret Counsell, confer and reason upon such heads and articles as shall be proponed be his Grace and Counsell forsaide, and to receive answer to the articles and heads which are to be proponed be the Kirk to his Grace, and to report their conference and reasoning to the Affembly, before the dissolving thereof, that conclusion may be had therein.

Sessio 3^a

The Collectors of the thrids were called to shew their diligences anent the horners, and to give up their names to their Bishops, Superintendents, and Commissioners, what time they shall be required thereto be them.

Forfamikle as the Commissioners sent to my Lord Regents Grace, should reason and confer according to the injunctions to be given to them be the Affembly, and articles, the Affembly appointeth Mr Clement Little, Advocate, Mr David Lindsay, Mr George Hay and William Christefone, to frame the heads and articles, which are to be proponed for the Kirk to

his Grace and Counsell, and to fend the famine to the brethren Commiffioners that are presently with his Grace and Secret Counsell. C.]

Touching them that receives excommunicants and ordour taking thereanent, The haill Kirk presentlie affemblit ordaines all Bischops, Superintendents and Commiffioners to plant kirks, and Minifters of particular kirks, to proceed to excommunication aganis all receivers of excommunicat perfons, if after due admonition the receivers rebell and beis difobedient, according to the ordour conteinit in the Book of Excommunication ; and quhofoever knawand and get receives and intertaines excommunicat perfons, albeit he desift after admonitioun, yet fall he underly the discipline of the Kirk, be making of publick repentance, except lick as are exceptit of the Law.

And to the effect that none pretend ignorance of the saids excommunicat perfons, the Kirk ordaines [and statutes], All Bischops, Superintendents and Commiffioners in their Synodall conventions, fall take up in roll the names of the excommunicats within thair Jurisdictiones, and bring thair names to the Generall Affemblies, to be publifchit to vthers Bischops, Superintendents and Commiffioners, that they be thair Minifters in their provinces may divulgat the famein in their haill countreyes quher the excommunicats hants.

[The Affembly appointeth their loving brethren, Mr Gilbert Gardin, Mr John Craig, Mr Robert Hammlton, David Fergufon, George Scot, Patrick Kinnymouth and James Meldrum, or any five of them, to conven in the Inner Tolbooth afternoon, to give answer to questions and complaints, and what they find difficill, to fend it to the Affembly for receiving resolution and answer.

Sessio 4^a.

The Minifters, elders and deacons of the kirk of Mauchline, complained upon Mr John Hammlton, fon to unquhill Sir William Hammlton of Sanquhar, David Blair of Munckton, William Dumbare of Tarbolton, John Dumbar of Barr, Mr Hugh Farquhar in Crapton, Patrick Hamilton of Lynnerhauch, and Patrick Reid, brother to William Reid in Garfoll, That upon the thrid of August last by past, being the day of their Communion, and they fitting afternoon in their Sessio, they accompanied with

200 persons or thereby, brought with them the corps of the said unquhill Sir William, brake the doors of the kirk being closed, while they were occupied in the Session anent the affairs of the Kirk, brought in the said corps, overthrew and brake down their table boards, whereupon the blessed Sacrament was ministred the same day, and in place thereof buried the said corps, notwithstanding the said Sir William was, at the time of his departure, a parochiner of another paroich; so that it behoved them to rise from the Session, to depart out of the church, and give place to their rage and fury. The said persons being fummoned be Mr David Lindsay, Commissioner of Kyle, Cariët and Cunninghame, often called and not compearing, the Assembly ordained to cause summe them to the nixt Generall Assembly, to compear under the pain of excommunication, and that the Ministers of their paroiches or kirks where they dwell, summe them from pulpit to compear as said is; not the less the Assembly giveth power to the Commifioner of that province, to receive any of said persons that willingly in the mean time offereth themselves to publick repentance for the said fault, according to the said Commifioners discretion.

Alexander Bishop of Galloway was summoned be Mr John Row, Commifioner of Galloway, to compear before the Assembly. He compeared. Certain heads and accusations were given in against him be the Superintendent of Lothian, the Kirks of Edinburgh, Halyrudhouse and Sanct Cuthbert.

In the first, We the said Superintendent, Ministers and parochiners of the said kirks doe complain, That the said Mr Alexander intruded himself in the office of the Ministry within the said burgh of Edinburgh, where he allured, drew and perswaded a great part of the saids parochiners in a company, thereby confounding all good order, wherethrough their own lawfull Ministers were rejefted.

Secondly, The said Mr Alexander taught the people most perverse and ungodly doctrine; but specially in perswading, entyng and exhorting to rebell against our Sovereign Lord, and to join with manifest rebels and conjured enemies.

Thirdly, The said Mr Alexander, contrar to the Act of the Generall Assembly made for the prayer for our Sovereign Lord, &c., most maliciously transgressed the said ordinance, not only refusing to doe the same, but also avowing in his prayer another Authority, and accusing and condemning all true Ministers, that did not the like that he did.

Fourthly, The said Mr Alexander being inhibited in speciall be ane Act of the Generall Asseembly, to have any intromission with the parochiners of Halyrudhouſe, He hath notwithstanding compelled them to adjoin with his pretended Kirk, in receiving the Sacrament then abused be him within Edinburgh ; causing his pretended Bailiffs, be the assistance of the men of war remaining within the said town for the time, to oppress and compell the said poor people to give him obedience.

Fifthly, The said Mr Alexander being sworn be his solemn oath, for due obedience to our Sovereign Lord and his Grace Regent and authority, come in the contrar thereof, and violate and brake his said former oath ; but specially, sitting in a pretended Parliament for dispossessing of our said Sovereign Lord of his royal crown and authority.

Sixthly, The said Mr Alexander being one of the pretended Privie Counsell, after the horrible slaughter of Matthew Earl of Lennox, Regent to our Sovereign Lord, of good memory, gave thanks for the same and others sicklike openly in the pulpit to God, and exhorted the people to doe the same, saying, That it was Gods most just judgement that fell upon him ; and as God then begann to execute his most just judgement upon him, he would not fail to execute the same upon the rest ; comparing oftentimes our said Sovereign Lord, his Regent and true lieges, to Pharoah and wicked Absalom, and himself to Moses and David, whom God would defend.

Last, Be reason that the hainous faults of the said Mr Alexander have been so notoriously knowen to all men, not only such as have been committed before the Reformation, but also such as have been committed diverse times since, to the great and heavie slander of Gods true word, and professors thereof ; wherethrough many of the said professors, and others our Sovereign Lords true and obedient subjects, sometime be him perverted, yet still remain in their wicked conceived error, and can scarce be persuaded in the contrar, except the said Mr Alexander be caused confess his errors publickly in all places where he hath offended, but specially in all the forsaid kirks.

Sessio 5^a

Mr Alexander Gordon, Bishop of Galloway, sent one of his servants

with ane answer to the accusations forsaide : But because he compeared not personally, the Assembly ordained Robert Drummond to summe him to compear personally before the Assembly the morne at ten hours, to answer farther to such things as should be laid to his charge.

Mr James Balfour, Minister of Guthrie, was ordained to pass to the Regents Grace, the Counsell and the Commissioners of the Assembly, who were with his Grace, and to shew the said Mr Alexanders answers to the said heads, and to desire his Graces advice therein, anent the alledge immunity, and incompetencie of the Judgement of the Kirk, and to report his Graces answer to the Assembly. Mr James returning reported, how after the Regent had heard the said accusations and answers thereto, declared, That his Grace was most willing to observe the heads of the Pacification, not prejudging the priviledge of the Kirk ; and willed that all notorious open slander should be satisfied according to the discipline of the Kirk : The tenor of his answers followeth.

Brethren, I am very loath, as God knoweth, to come in reasoning with your Wifdoms, concerning the complaint given in against me be the Superintendent of Lothian and Kirks of Edinburgh, Halyrudhouse and Sanct Cuthbert ; yet in respect of the highness and weightiness of the cause that dependeth thereupon, I am constrained, with your Wifdoms pardon, to answer thereto ; which is the priviledge and benefite of the Godly Act of Pacification, made be the procurement of the Queens Majesty of England, with consent of my Lord Regents Grace, the whole Nobility and Estates of this realme. Be virtue of the which Act, my Lord Duke his friends, my Lord Huntly, I and our friends, servants and dependents, are made from all transgressions, crimes, offences, done be us or any of us during the time of the troubles ; to the which Act the reformed Bishops, Abbots and Priors having vote in Parliament, consented in name of the Kirk : So my Lord Regents Grace for the Criminall and your Wifdoms for the Spirituall part, have no place to call us or any of us for any offence, during the said time, for the common cause, which was the maintaining of another Authority, or any thing that dependeth thereupon. And it is of verity, that the complaints given in upon me depend thereupon ; in speciall the greatest offence which may be laid to my charge, is only the preaching of the word, which I did at command of the other Authority, and be election and admiffion of such as professed the same : Therefore your Wifdoms can be no competent Judges to us, or any of us

contained in the forsaide Act of Pacification; for as we were altogether disobedient, at that time, to the Kings authority and Kirk touching that point, allanerly in defending another Authority; so are we be this Act of Pacification become obedient subjects to the King and Kirk in all things, except the offences forsaids, which are putt in oblivion be consent of the Three Estates, as if they had never been committed: Therefore we nor none of us ought, or should be troubled any wise for any offence done during that time, as saide is. In respect of the premisses, I humbly beseeke your Wisedoms, to have regard to our estate, condition and service done be my Lord Duke his house, ours of Huntly and dependers, for maintaining of Gods word, and professors thereof, and how we have not spared in times bygone, our lives and heretages in defence of the same, and that I was the first that publickly preached Christ in face of the Authority; that this our defection so honourably and lovingly remitted and put in oblivion, be no wise brought in disputation, again to prejudge the saide Act of Pacification, ratified and approved in Parliament be consent of the Kirk, as saide is. And if there be any other offence done be us then is contained in the saide Act, that may anywise be slanderous to the Kirk, before the 15 day of June, anno 1567, untill the 24 of Februar 1572, we shall answer thereto as becometh members of the reformed Kirk and true professors of the blessed Evangell; neither can your Wisedoms have farther Jurisdiction over me, nor over the rest of the communicants contained in the saide Act of Pacification, for the causes forsaids: Alwise offers me to your Wisedoms, all things bygone being putt in oblivion according to the saide Act, to serve in my own Jurisdiction, or to desist, as your Wisedoms please appoint me.

Mr David Lindsay, Commissioner of Kyle, Carict and Cunninghame, complained upon George Boyd reader at Dalry, That where he was discharged from all ministrations of the Lords Supper, he hath not the less ministered the same on his manner in the place of Kilbirnie the last Pasch. The Assembly ordaineth the saide George to make publick repentance two severall Sundays, the one at Kilburnie, the other at Dalry, confessing his offence in presence of the parochiners, and farther at the discretion of the saide Commissioner, &c.: And also statuts and ordains, That, if he hereafter transgress in semblable case, he shall be deposed from all function of the Ministry for ever: And sickenlike, This act to strike upon all others readers, that shall be found guilty of the like crime.

Sessio 6^a

Mr Alexander Gordon being summoned and often called, compeared not. Robert Drummond is ordained to summe him to compear again three hours, with certification if he compeared not, That the Affembly will proceed to farther processe against him. He was summoned but compeared not: Whereupon and for offences contained in the former accusations, led against him and not denied, it was concluded, That he should make publick repentance in sackcloth three severall Sundays, one in the Kirk of Edinburgh, another in Halyrudhouse, and the thrid in the Queens Colledge for Sanct Cuthberts Kirk; humbly confessing his offences and slander, asking the eternal God and his Kirk pardon for the same: And for this purpose, the Affembly ordained Mr James Melvill and Andrew Simson, Ministers of Menmure and Dumbar respectivé, to pass to the said Mr Alexander Gordon, and admonish him in the Kirks name, to underly and perform the said injunctions, and to begin on Sunday nixt to come in the Kirk of Edinburgh, thereafter in the other two kirks successivé, under the pain of excommunication. C.]

[The same day, Alexander Hay, Clerk to the Secreit Counsell, presentit certaine heids proponed be my Lord Regents Grace to the Affembly, concerning the provision of Ministers stipends be particular assignation: C. & B.] [The tenor whereof followeth.

The Summ of the Report to be made to the General Affembly.
At Halyrudhouse the 12 day of August 1573.

My Lord Regents Grace, even as he accepted on him the regiment, began to espie and consider the corruptions and abuses entered in the order of the Collectorie, and to remember the fundry suites made be the Ministers of the Kirk in diverse Affemblyes, to have certain assignations made to them of their livings and stipends, in places most ewest and commodious to their residence; and herewithall being carefull how the article accorded upon at Leith should take effect, viz. That the worthy and qualified Ministers and Preachers might be planted and distributed throughout the whole realme, and the readers specially appointed at every speciall kirk, where conveniently it might be: His Grace sensyne, at fundry diets, travelled

with the Kirk and their Commiffioners for the perfection of this fo Godly and neceffar purpofe; and be diligent labours, the names and numbers of the paroch kirks are collected, and the Minifters and Preachers prefent diftribute among them, while it fhall be Gods good pleafure to raife up moe worthy and qualified perfons, zealous and willing to enter in that function, who from time to time fhall, God willing, be fufficiently placed and provided to competent livings. The ftipends be common confent are modified, and certain affignations to be made for payment of the fame out of the rents of the thrids of the benefices, common kirks or benefices, newly provided fince the Kings coronation, beginning the order of payment of the fructs now growing on the ground.

The Minifter fhall alwife be firft provided, and to that effect, where need be, the affumptions of the thrids of Prelacies, and others great benefices, altered, and the affignation of the Minifters and Readers ftipends taken of the firft and readieft duties of the kirk and parochine where they ferve, out of the hands of the tackfmen, or fuch of the parochiners, as they themfelves fhall choofe to be debtors unto them.

And in cafe any thing now affigned be before difponed or provided in penfion, portion or otherwife, wherethrough the payment may appear uncertain and doubtfull, they fhall have another fure and fpeciall affignation out of fome other part of the thrid of that benefice, or otherwife in fome place where it may be moft commodioufly had to their contentment, and letters granted for execution hereof in due forme as effeirs.

Item, My Lord Regents Grace minds, with all convenient expedition, That qualified perfons fhall be promoted to the Bifhopricks now vacand, the delay whereof hath not been in his Graces own default, but be reafon fome interefs was given to thefe livings in favours of certain Noblemen, before his acceptation of the Regiment; yet his Grace is perfuaded, that qualified perfons fhall fpecially be prefented; and in cafe of failzie, will not fail, without the others confent, to prefent.

And in this meantime it was contented, That fuch Superintendents and Commiffioners as the Kirk fhall be content with, or fhall appoint, continue in their charges as before, where Bifhops are not placed, and have their ftipends therefore, while the Bifhops be admitted to their own places and offices, which fhall not be retarded in his default.

And forfamikle as fince the reformation of religion in this realme, fundry common kirks and common lands and fundry benefices are lett be the

Prince in few and tacks, far within the just availl and rent which they were worth, and gave before the said reformation; or else in a pretended manner, as freely given be the Prince in pension or gift, upon the importunate sute of some persons, without consideration of any ground or right how the same might be done, no Law nor Act of Parliament yet passing, whereby the power of setting, sewing and disposition of the saids common kirks, common lands or thrids, were annexed to the crown, or declared to pertain to the Prince; It being good reason, that the Ministers of the kirks should be sustained upon the rents thereof, and that the saids common lands should be applyed to the help of the Schools, and otherwise, ad pios usus; therefore ordains Summons to be libelled, at the instance of the Kings Majestys Advocate, and of the procurators of the Kirk for their intres thereof, for reduction of the saids fews, tacks and dispositions, wherethrough the rents of the saids commons and thrids may be goodly and rightly applyed as effeirs.

It is resolved, That the executions of the sentence of excommunication against persons excommunicate, after the space of 40 days past, shall be presented to my Lord Theasaurer or his Clerk, who thereupon shall raise letters, be deliverance of the Lords of Session, to charge the persons excommunicate to satisfy the Kirk, and obtain themselves absolved under the pain of rebellion; and, in case they pass to the horn, to cause their escheits be tane up, and also to raise and cause execute letters of Caption against them, and that to be done at the Kings Majestys charges.

Touching the escheits of excommunicate persons, where the wives and children are faithfull, The law already made is thought good and worthy to be execute; and all dispensations dangerous, and tending to the increase of contempt and disobedience.

Touching the pecuniall penalty to be raised on the refetters of the excommunicate, Because as yet there is no exprefs law; therefore lett ane article be formed hereanent against the next Parliament, and in the meantime the Kirk to use the discipline thereof against such offenders.

And diligence possible shall be made for collecting and ingathering of the rests, to the help of the Ministers standing in doubt; and it is not thought that the uptaking of the escheits of the rebels shall prejudice them.

The order of upholding of Schools in burgh and to landward, would be declared in a more speciall article.

It is thought meet, The multitude of hereticall books brought in this

countrie shall be burnt; and that proclamation be sett out in strait manner, That none bring home hereticall books, nor pres to sell them while they be visid in time coming; and this Act to be extended in large form.

The law touching the manfes and glebs is thought sufficient, if the execution of the same be duely fought.

Anent the sustaining and upholding of Cathedrall kirks which are paroch kirks, The same most be done as it had wont to be before, while a new or better order be taine thereanent be the Parliament.

For punishment of persons that pass in pilgrimage to wells, lett the discipline of the Kirk be used against the users of such superstition, and the civill Magiftrat shall also hold handto the punishment.

Lett also ane article be formed and givenin at the Parliament, for law to be made against such persons as make common buriall places of the paroch kirks, being commanded by the contrary.

Anent the heads and articles concerning the Jurisdiction of the Kirk, They are found very meet to be reasoned upon; whereunto my Lord Regents Grace will appoint some of the Counsell to conferr with others that the Kirk shall depute to this effect; so that it whereon they agree may be confirmed in Parliament, and have the force of a law thereafter.

Item, Seing the most part of the persons who were Channons, Monks and Friars within this realme, have made profession of the true religion; it is therefore thought meet, That it be enjoined to them to pass and serve as readers at the places where they shall be appointed.

To appoint a day for the election of the Bishop of Murrey.

To appoint a day for the election of the Bishop of Rosse.

That the day be kepted for the election of the Bishop of Dunblane.

To appoint a day for the election of the Archbishop of Glasgow.

Commissioners in all provinces where bishops are not placed.

A Suffragan for the Bishop of Sanct Andrews in Lothian.

That every Commissioner tarry to see the principall assignation and order made for the payment thereof, for the weal of the Ministers within his charge.

Selfio 7^a

In respect that the Affembly cannot remain till finall ending of such

things as are treating betwixt my Lord Regents Grace and the Assembly, anent the distribution of Ministers, their placing, and assignation to be made for sure payment of their stipends, &c., The Assembly adjoins to their brethren already having commission to reason and conferr with my Lord Regents Grace and Secret Counsell, the brethren underwritten, to wit, John Bishop of Sanct Andrews, John Bishop of Dunkeld, Mr John Spottwood, Superintendent of Lothian, Mr David Lindfay, Mr George Hay, Mr Andrew Hay, Mr Donald Munro, of Kile, Cliddisdail, Aberdeen, and Roffe respectivé Commissioners, Mr James Lowson, David Ferguson, of Edenburgh and Dumfermling respectivé Ministers, John Brand, Minister of Halyrudhouse, Mr Alexander Arbuthnet, Principall of Aberdeen, and John Gray of Fordall, That the saids brethren, or any thirteen of them, concurr with my Lord Regents Grace and Secret Counsell, reason, conferr and conclude, anent all things to be proponed be his Grace and Secret Counsell forsaid, and touching the heads, articles, requests, supplications and complaints to be proponed in the Assemblies name be them, conforme to the instructions which are to be given to them; and to report all and whatsoever their proceedings to the next Assembly, to be registered among the Acts thereof: And to putt in forme the saids instructions to be delivered to the forsaid brethren Commissioners, the Assembly appointed Mr Robert Pont, Commissioner of Murrey, Mr John Row, Commissioner of Nithisdail and Galloway, Mr Gilbert Gardine, Minister of Fordyce, Mr David Cunninghame, Minister at Monkland, to convene afternoon this day, and putt the said instructions in forme, and deliver the same to the saids brethren Commissioners this night, that they may proceed conforme to the saids instructions.

Anent the supplication given in be Robert and John Seton, sons to the Lord Seton: The Assembly ordaineth the Superintendent of Lothian, with so many Ministers as he will assume to him, to take order with the saids persons; and if they will obey, submit and subscribe the articles of Faith, and swear obedience to the Kings Majesty, to receive them in the bosome of the Kirk according to the order. C.]

Tuiching the changing of the situation of the paroch kirks, their gleibs and manfles, for the commoditie of the parochiners: The Kirk gives licence to the Bishops, Superintendents and Commissioners to plant kirks, with the advyse and consent of the parochiners and Ministrie of the countrey, to change the paroch kirks, manfles and gleibs fra ane place to another

for commoditie of the said paroch ; Provyding alwayes, that the change thereof be not hurtfull to the Ministrie, and that suretie sufficient be made of the lands in quantitie and goodnes as they were before, to remaine with the Kirk for ever, with mortification thereof be the Kings Majestie.

[Forfamikle as Alexander Bishop of Galloway, after his compearing before this Assembly at a time, was diverse times thereafter summoned personally and at his lodgings, to have compeared before the Assembly, to have answered farther to things that were to be laid to his charge, and to have received the injunctions of the Kirk for satisfaction of his offence and slander given be him, &c. : Being often times called and not compearing, The whole Kirk assembled decerned the said Mr Alexander to make publick repentance in sackcloath upon one Sunday in the kirk of Edinburgh, another Sunday in Halyrudhouse, and the third Sunday in the Queens Colledge for Sanct Cuthberts : Therefore the whole Kirk presently assembled, commandeth Mr Rodger Gordon, Minister of Quhitterne, to admonish the said Alexander Bishop of Galloway in the Cathedral Kirk of Quhitterne upon a Sunday in the time of publick preaching, to resort to the saids kirks of Edinburgh, Halyrudhouse and Queens Colledge respectivé, and there fulfill the saids injunctions, betwixt the day of the admonition and the 20 day of the moneth of September nixt to come, under the pain of excommunication ; with certification to the said Mr Alexander, that if he doe not, the Kirk commands the Minister of Edinburgh or Halyrudhouse to proceed to excommunication against him, and to publish the same in the said other two kirks, and in other kirks as shall be thought expedient ; and ordains the said Mr Rodger to send this present ordinance, duely execute under his subscription, before the said 20 day of September forsaid again to the Kirk of Edinburgh, as he will answer to the General Assembly of his obedience, &c.

Mr Robert Pont, Commissioner of Murrey, Mr George Hay, Commissioner of Aberdeen, Mr John Row, Commissioner of Nithisdail and Galloway, Mr David Lindsay, Commissioner of Kyle, Carict and Cunningham, Mr Andrew Hay, Commissioner of Ranfrew, Cliddisdail and Lennox, Mr Donald Monro, Commissioner of Rosse, were continued in their office till the nixt Assembly.

The Assembly giveth commission to their loving brother John Gray of Fordell, to plant Ministers, erect the face of congregations, visit Schools, &c., in ample forme within the Diocie of Cathness for the space of a year

nixt after the date hereof, and to report his diligence to the General Affembly.

In like manner giveth commiffion to their loving brother John Brand, Minifter of Halyrudhoufe, to vifite Tiviotdaill, Tweddail and Forrest till the nixt Generall Affembly, and to report his diligence done therein to the fame Affembly. The faid John protested, That he on no ways begin his journey to the faid vifitation, untill fuch time as a Minifter were appointed to fupply his place at Halyrudhoufe in his abfence. C.]

Seffio 8^a

Anent them that confults with witches : The Kirk presentlie affemblit ordaines all Bifhops, Superintendents, and Commiffioners to plant kirks, to call all fick perfons as falbe fufpect to confult with witches before them, at their awin particular vifitations, or vtherwayes ; and if they be found to have confulted with the faids witches, That they caufe them make publick repentance in fackcloath vpon ane Sunday in tyme of preaching, vnder the paine of excommunicatioun ; and if they be difobedient, to proceed to excommunication, dew admonitions preceding.

Anent the uniformitie to be obfervit in proces of excommunication : It is statut and ordainit, That all Bifhops, Superintendents and Commiffioners to plant kirks, fall direct thair letters to Minifters quher the perfons that are to be excommunicat dwells, commanding the faids Minifters to admonifh accordingly ; and in cace of difobedience to proceed to excommunication, and pronounce the fentence therof vpon a Sunday in tyme of preaching ; and thereafter the Minifters to indorse the faids letters, makand mention of the dayes of thair admonitions and excommunication for difobedience forfaid, and to report to the faids Bifhops, Superintendents and Commiffioners, according to their direction containit in the faids letters.

[The Affembly ordaineth the Bifhop of Dunkeld to pafs in vifitation of his Diocie incontinent after the diffolving of this Affembly, and execute the Act of Parliament againft Papifts, of what degree foever they be, and all other criminall perfons, according to the Acts of the General Affembly, and to report their diligence to the nixt Affembly.

The brethren appointed for answering to questions, reported the same and their answers as followeth.

Q. Ubique, Where the Nobility offends in such crimes as deserve execution of discipline in sackcloth, the Nobility will not receive it; men of poor estate for the most part contemn it: What remed shall be found. C.]

A. Great men offending in such crimes as deserves sackcloth, they should receive the same as well as the poore.

[Q. Whither if a Superintendent or Commissioner, with advice of any particular Kirk of their Jurisdiction, may dispense with the extremity of sackcloth prescribed by the Acts of the Generall Discipline, and that for a pecuniall pain ad pios usus. C.] A. Na Superintendent nor Commissioner, with advice of any particular Kirk of their Jurisdiction, may dispence with the extremitie of sackcloth prescribed by the Acts of the Generall Discipline, for any pecuniall fowme or paine ad pios usus.

[Q. Why is order taken, That for no cause, how just so ever, no particular Kirk may excommunicate without the assent of the Bishop, Superintendent and Commissioner. A. The Assembly perceiving some to have been excommunicate without the due order of law, for redress of this misorder, hath thought it expedient, That the cause and order of the process be fought by the Bishop, Superintendent and Commissioner, before the sentence be pronounced.

Q. Whither if the Assembly may lawfully impone pecuniall pains to the committers of drunkenness, fornication, breach of the Sabbath, and such like, or not. A. The Assembly ordains, That, anent fornication and the breach of the Sabbath, the Acts of Parliament be putt in execution: as for drunkenness, They should give admonitions, which being disobeyed, they shall be repelled from the table of the Lord; yet Magistrates may inflict a pecuniall pain for the same, while order be tane in Parliament.

Q. May any Minister, with safe conscience, admitt to the table of the Lord and other benefits of the Kirk, those who in the late troubles opposed themselves against the lawfull Authority, and sustained the action of them who troubled the quiet state of the common weale, and of the

Kirk, who have not yet satisfi'd the Kirk, nor admitted themselves to the discipline thereof. A. They may not.

Q. What punishment shall the Minister incur, that wittingly and willingly admits such publick transgressors and slanderers of the word to the saids benefits, before any publick satisfaction be made. A. Refers the punishment of the Minister that offends in this case to his Ordinar, according to the quality of the fault committed, and the place where he serveth.

Q. A man willing to dimitt his benefice simpliciter, In whose hands shall he dimitt it. C.] A. Ane man willing to demitt his benefice simpliciter, fould demitt it in the hand of the just Patrone.

A. D. M.D.LXXIII.

THE Generall Affembly begun and haldin at Edinburgh [in the Nether Tolbooth] the 6 day of March 1573 : In the quhilk were present Earles, Lords, Barrones, Bischops. [John Bishop of Sanct Andrews, James Bishop of Glasgou, James Bishop of Dunkeld, George Bishop of Murrey, Robert Bishop of Cathness.] Superintendents, Commissioners to plant Kirks, Commissioners of Provinces, Townes, Kirks, Univerfities, and Ministers. Mr Andro Hay [Minister of Ranfrew, and Commissioner of Cliddifdail] was chofen Moderator.

Sessio 1^a.

[In the trial of Bishops, Superintendents and Commissioners to plant kirks, John Archbishop of Sanct Andrews was delated, For not vifiting his province of Fife ; for admitting a simple reader, Robert Douglafs, to the Personage of Morvington, the profite whereof consisteth in thrids ; That he was not only Bishop, but Rector of the Univerfity, and Provest of the New Colledge ; That he preached not in Sanct Andrews, where he made his residence ; That he absolved Mr Magnus Halcro, who was excommunicate in Orknay for adultery committed be him with Margrat Sinclair, sometimes wife to James Tulloch. To the first he answered, That since the last Affembly he had been continually sick, and so weak that he was not able to vifite his said countrey, which excuse was thought reasonable. To the second he answered, That he understood be relation,

that the said teinds of Morvinton were so small in value that scarce would they sustain a reader; notwithstanding the Assembly ordained the said Bishop to reform his collation of the said benefice, according to the laws already made anent personages. To the third, He alledged infirmity, and promised to preach in time coming according to his ability. To the fourth, alledged, That he absolved the said Mr Magnus be just process led before him in Sanct Andrews. The Assembly ordained the Bishop to produce the process before them that day eight days. Anent the retaining of the Rectory and Provestry, he answered, He was content to dimitt the one and the other, how soon my Lord Regents Grace and Commissioners shall come to Sanct Andrews for visiting of the Colledges.

James Bishop of Dunkeld was accused for admitting one called Sir Walter Robefone, to read in the kirk of Logyret, who, within 20 days thereafter, past with a dead corps to the kirk, having the Supercloath upon him in popish manner: Item, For admitting Michael Grey and John Drummond, two readers at the kirk of _____, who be their convention and troubles have raised a great slander against them and their offices: Thirdly, That he hath not execute the sentence of excommunication against the Earle of Atholl and his wife, conforme to the Act of Parliament. The Assembly ordained him to take order with the forsaid readers, that, all slander being removed, no cause of complaint be found hereafter. And sicklike with the said Walter Robefon, and try the forsaid alledgance touching the smelling of papistry. As for the oversight of the Earle of Athole and his wife, he confessed the same, and therefore was ordained to pass to the Cathedrall kirk of Dunkeld, and there upon a Lords day in time of preaching confess his fault publickly for not executing of the forsaid sentence; and farther, that thereafter within 40 days, the said Earle, his wife and so many of his family as shall be found disobedient, be excommunicate: The order of his excommunication, and indorsation thereof in authentick forme, to report to the Regents Grace, that order may be taken thereanent.

John Gray, Scribe to the Assembly, presented a book containing a visitation of the Diocie of Cathness, made be John Gray of Fordell, Commissioner of the said countrey; and also read a letter sent from him, wherein he desired to be discharged of that office, both for the weight of the burthen, his age, and meanness of the stipend. The Assembly could not give ane answer presently.

For vifiting of the books of diligences, of Bifhops, Superintendents and Commiffioners, were appointed the brethren underwritten, Mr James Greig, William Chrifefone, Mr David Wemes, Thomas Duncanfon, John Duncanfon, Mr Roger Gordon, David Fergufon, John Clapperton, Robert Monteith, James Anderfon, Mr Archibald Keith, to convene in this houfe upon Monday at feven hours before noon, for overfeing of the faids books, and fo continue from day to day, till the fame be perfectly overfighited, and what they find therein to report the fame to the Affembly.

Seffio 2^a.

George Bifhop of Murrey was accused of fornication committed be him with one called Scot, reliēt of Dihington of Ardrofs: He answered, That, after admonition given him, he abftained from all cohabitation with the faid woman. He was removed, and the brethren chiefly in Fifewere inquired, Whither he had given juft caufe of flander before admonitions given to him. And entering again he was ordained to purge himfelf before the Affembly of the forfaid crime. He desired time to advife with himfelf till the 10 day of this instant moneth, at what time he promifed to give answer. And becaufe the members of the Chaptour of Murrey had admitted the faid George to the Bifhoprick of Murrey in giving their letters testimonials thereupon, without juft trial and due examination of the faid George life, converfation, and qualification in literature, as appertained, wherethrough great flander is rifen; therefore the Affembly giveth commiffion to John Arefkine of Dun, Knight, Superintendent of Angus and Mernes, Mr George Hay, Commiffioner of Aberdeen, Mr Alexander Arbuthnet, Principall of the Colledge, Mr John Craig, Minifter of New Aberdeen, That they direct their citation to fummon the forfaid Chaptour of Murrey to compear before them, day and place as they fhall appoint, for the caufes above written; and what they happen to find in the faid matter, to report the fame to the nixt Generall Affembly.

To vifie the heads and questions prefented to the Affembly be Alexander Hay, clerk of the Secret Counfell, fent be my Lord Regents Grace, and for giving answer thereto, were appointed the brethren underwritten, Mr James Boyd, Bifhop of Glasgou, John Arefkine of Dun, Knight, Super-

intendent of Angus and Mernes, Mr John Winrame, Superintendent of Stratherne, Mr John Row, Mr James Lowfon, Mr Alexander Arbuthnet, Mr Robert Matlane, Dean of Aberdeen, Mr Patrick Adamfone, the Laird of Lundie, the Laird of Quhittinghame, the Laird of Elphinston, the Laird of Barr, the Laird of Spott, the Laird of Kelwod, Alexander Udward, Commiffioner of Aberdeen.

The Affembly ordains Mr George Hay, Commiffioner of Aberdeen, to deliver ane juft copy of his compts of collectory of Aberdeen and Banff of 1572 years, to Mr John Craig, Mr Alexander Arbuthnet, to the effect that the Minifters of that countrey may understand what allowances are taken of their ftipends of the faid year, every one for his own part ; which ordinance the faid Mr George promised to fulfill.

The Affembly appointeth Mr John Spotswood, Superintendent of Lothian, Mr Clement Littel, Advocate, Mr Robert Pont, Mr James Lowfon, Mr David Lindfay, Mr Alexander Arbuthnet, Mr Patrick Adamfon, or any four of them, to revife and confider the reply made be John Duncanfone, Minifter of the Kings houfe, againft Mr James Tyries laft book ; and what the faid brethren find therein, to report again to the Affembly, to the effect it may be understood, Whither the faid reply may be committed to print or not : And in like manner, that the faids brethren or any four of them, perufe and confider a book presented to the Affembly be the Earl of Glencarne, fett out be a brother, and intituled, “ Of Gods Providence,” and to report their judgment thereanent to the effect forfaid.

Mr John Davidfone, a Regent of the Colledge of Sanct Leonards in Sanct Andrews, declared to the Affembly, how he had been fummoned before the Counfell, and troubled a long time for a book, which was not unknowen to their Wifdoms, and what was his mind, and the whole procefs of it, and desired them to examine it ; and if they found it diffonant from the word of God, condemn it ; if confonant to the truth, approve it, and that with expedition, becaufe his ftaying was chargeable ; and Noblemens fons his fcholars were defrauded by his abfence. Some informed the Moderator, that Mr John Rutherford had made ane answer to it. The Affembly thought good, it fhould be presented. He fhifted faying, He could not produce his ineptias, and that he had written but one copy which the Regent had.

It was voted, Whither he should be compelled under the pain of excommunication, to present his book, and was concluded as followeth.

Foriamekle as the Affembly understanding, that Mr John Rutherford, Provest of Sanct Salvators Colledge, hath published a book in writt against Mr John Davidfone his book ; therefore it was inquired, Whither the said Mr John ought and should produce the said book before the brethren of this Affembly. It was voted throughout, That he ought and should produce the same, to be fighted and considered be the brethren presently conveened ; and therefore ordained Mr Robert Hammilton, Minister of Sanct Andrews, Mr James Melvill, Minister of Arbrothe, to require the said Mr John Rutherford, to exhibite the said book before the Affembly the morne at nine hours : And, in the like manner, That the said Mr John Davidfson present his book.

The Affembly ordaineth all Bishops, Superintendents and Commissioners to plant kirks, to give in writt the morne afternoon, the names of all such persons as they know to be able within their diocese, to serve in the Ministry, that they may be planted and livings obtained to them accordingly.

For answer to the last article sent to the Affembly be my Lord Regents Grace, anent the substantiall cause, if any be, of mislyking the order agreed upon for payment of Ministers stipends, and assignation of the same, and what better order can be proponed and devised for the same : The Affembly appointed the brethren underwritten, to witt, James Bishop of Glasgou, John Areskine of Dun, Knight, Superintendent of Angus and Mernes, Mr John Winrame, Superintendent of Stratherne, Mr Gilbert Foulfie, one of the Commissioners of Orknay, Mr Robert Pont, Mr James Lowson, Mr John Row, Mr David Lindsay, Mr Alexander Arbuthnet, Mr George Hay, Mr Patrick Adamson, Mr Rodger Gordoun, Richard Melvill, Minister of Gods word, the Laird of Lundie, the Laird of Braid, the Laird of Barr, the Laird of Carnall, Andrew Ker of Fadounside, the Laird of Thorntone, David Lindsay, Lyon Herald, John Adamfone, one of the Commissioners of Edenburgh, the Commendator of Deir, Mr John Young, Minister at Irving, and William Hume of Hutton, to conveen the morne at eight hours before noon in Mr James Lowsons chamber, and consider the forsaied article, and pen ane answer thereto, and report the same again to the Affembly.

Sessio 3^a.

Anent the appellation interponed be George Cleppan of Corflogie, from the sentence of excommunication pronounced against him be the Bishop of Sanct Andrews, for causes contained in the said appellation: The Assembly ordaineth the said Bishop, with advice of so many of his Ministers as he shall think meet to assume to him, to receive the said George to the bosome of the Kirk, absolve him from the said sentence, if he will unfainedly require the same according to the order, and thereafter receive his purgation of the crime laid to his charge be his own oath; admonishing him to adhere to his own wife in time coming, under the pain of incurring the said sentence of, &c. C.]

The Kirk ordaines all Commissioners of townes and provinces, That they search and seik out the haill rentalls of the Hospitalls within thair bounds respectiue, and give the same in to thair Bishops, Superintendents and Commissioners, shawand how the same are vsit or abusit, to the effect that my Lord Chancellour may reseave the same, to report to my Lord Regents Grace; and this to be done, betuixt and the tent day of Apryle nixt to come.

[Anent the Commission given in the last Assembly to the Laird of Dun and certain other brethren with him, to conferr and conclude with my Lord Regents Grace and Secret Counsell: The said Laird of Dun and brethren forsaid gave up their said commission, and protested, That nothing should be imputed to them, or laid to their charge, as done and concluded be them with my Lord Regents Grace, that might prejudice the brethren or the Assembly.

Mr John Davidfone, Regent in Sanct Leonards Colledge, conform to the command of the Assembly, willingly presented his book in writt, to be fighted and considered be the brethren appointed thereto, and alledged, that the same was printed without his advice and command; alwise submitteth himself and his book to the judgment of this present Assembly.

The Assembly appointed Mr James Lowson, Mr David Lindsay, the Laird of Barganie, the Laird of Thornton, the Commissioners of Edenburgh and Sanct Johnston, to present a Supplication to my Lord Regents Grace this day at two afternoon, and to report his Graces answer to the Assembly: The tenor of the Supplication followeth. C.]

Unto the Lord Regents Grace [and Lords] of Privie Counsell, with
vthers of the Eftates conveyit with his Grace, the Kirk Generall
now affemblit wifches everlafting health in Chryft.

It is not unknowin that holie myfterie of God that hes chofin to him-
felfe a Kirk, and that from the beginning, and fall continue for evir;
and that is the congregatioun and companie of the faithful profeffours of
Chryft: And in his Kirk God hes appointit his holie myfteries to be
miniftrat, and calls men to be minifters of the fame, that be the famein
miniftrie the elect of God may be callit, regenerate and nourifhit to the
everlafting lyfe. For prefervatioun of the holie Miniftrie and Kirk in
puritie, the Lord hes appointit Affemblies and Conventiouns, not only of
the perfons of the Miniftrie, but alfo of the hail members of the Kirk
profefling Chryft: The quhilk Kirk of God hes continuallie vfit, and
vses the fame Affemblies, fanctified be the word of God, and authorized
be the prefence of Jefus Chryft. It is alfo knowin vnto your Grace, that
fen the tyme God bleffed this countrey with the light of the Evangell, the
hail Kirk maift godlie appointit, and the fame be Act of Parliament
authorized, that twa godlie Affemblies of the hail General Kirk of this
realme, fould be ever ilk zeir, afweill of all members therof in all Eftates
as of the Minifters: The whilk Affemblies hes bein fen the firft ordinance,
continually keipit in fick fort, that the moft noble ther of the hieft Eftate,
hes joynit themfelves, be their awin prefence in the Affemblies, as members
of ane body, concurreand, voteand and authorizand in all things their pro-
ceeding with their brether. And now, at this prefent, the Kirk is affemblit
according to the Godlie Ordinance, and lookes to have concurrence of
thair brethren in all Eftates, and wifches of God, that your Grace and
Lords of Privie Counsell will authorize the Kirk in this prefent Affembly,
be your prefence, or be vthers haveand your commiffion in your Grace
and Lordships names, as members of the Kirk of God; for as your Graces
prefence and the Nobilities fould be vnto us moft comfortable, and fo
moft earneftlie wifched of all, fo your Graces abfence is to us moft dolo-
rous and lamentabill; wherof followes the want of ane great part of the
members, that weill cannot be abfent from the treating of thefe things that
appertaines to the Kirk and policie thereof, in Affembly altogether, to be
handlit be the advye of all, and to the whilk end the Affemblies are ap-

Anent the jurisdiction of Bishops in their ecclesiasticall function : The Kirk presentlie assembled has concluded, That the same shall not exceed the jurisdiction of Superintendents, quhilk heretofore they have had and presentlie has ; and that they shall be subject to the discipline of the Generall Assembly as members thereof, as the Superintendents has been heretofore in all sorts.

That no Superintendents nor Commissioners for planting kirks, have nor shall give collation of benefices, nor admit Ministers, without the assistance of three of their qualified Ministers of their province, quho also shall give their testimonials to the said Superintendents or Commissioners, subscribed with their hands, in signe of their consent thereto : And, in like manner, That no Bishop give collation of any benefice within the bounds of Superintendents within his dyocie, without their consent, and testimonials subscribed with their hands : And, that Bishops within their awin dyocies, visit be themselves, quher no Superintendents are ; and give no collation ordinar vpon benefices, without consent of three well qualified Ministers, as said is, of Superintendents and Commissioners to plant kirks.

Sessio 4^a

[The Assembly ordaineth the Bishop of Glasgow, to take order with John Hammilton, son to unquhill Sir William Hammilton, and to give him injunctions for satisfieng of the Kirk of Mauchlin. His complices, John Dunbar, Hugh Farquhar, Patrick Hammilton of Linnerhaugh, William Dumbar, parochiner of Tarbolton, David Blair, parochiner of Munckton, and Patrick Reid, being often called and not compearing, the Assembly ordained the said Bishop of Glasgow, To direct his precepts to the Ministers or Readers of the kirks where the forsaids persons dwell, to admonish them and every one of them respectivé in their own paroich kirk, to satisfy the kirk of Mauchlin for the offence done to the said kirk, under the pain of excommunication ; and in case of disobedience of the said persons, or any of them, that he give commandment to the said Ministers or readers where the said disobedients dwell, to pronounce the sentence of excommunication against them, according to the order appointed in the Book of Excommunication. C.]

Sessio 5^a

[The Assembly presently convened, in one voice and mind, giveth full power and commission to their loving brethren, John Areskine of Dun, Knight, Superintendent of Angus and Mernes, Mr John Winrame, Superintendent of Stratherne, Mr Robert Pont, one of the Senators of our Sovereign Lords Colledge of Justice, and Minister of Gods word, Mr John Row, Mr George Hay, Mr David Lindfay, Commissioners of Galloway, Kile, Cariot and Cunninghame respectivé, Mr James Lowfone, Minister of Edenburgh, John Duncanfone, Minister of the Kings Majesties house, to convene with my Lord Regents Grace and Lords of Secreit Counsell, to conferre and reason vpon the heids concerning the jurisdiction and policie of the Kirk, and sick vther heids and articles as salbe proponit be his Grace and Counsell to them; and upon the heads, articles and requests, which are to be proponed to his Grace and Counsell, in name of the Assembly presently convened, and concerning all and fundry other things tending to the setting forward of the glory of the eternall God, maintaining the preaching of his word, the Kings Majestys authority, and common wealth of this realme: firm and stable, &c. C. & B.]

[Forfamikle as George Bishop of Murrey was ordained to have compeared before this Assembly the 10 day of this instant, to have given his purgation of the slander given be him of fornication, alledged committed with the Lady Ardrosse, and hath not yet compeared; therefore the Assembly ordains James Bishop of Dunkeld to warn the said George, to compear the 12 day of this instant moneth at 10 hours before noone, to make his purgation, according to the ordinance appointed to him the 8 day of this moneth.

The Assembly ordaineth the Bishop of Glasgou to take order with John Carmichael, Captain of Crauford, now submitting himself to the discipline of the Kirk for adultery committed be him, and to receive him to publick repentance, according to the Acts of the Generall Assembly heretofore made against the committers of such crimes.

Sessio 6^a

The brethren appointed to reason upon the Commissioners and their

commiffion, that are to pafs to the Regents Grace and Secret Counfell, do declare that their opinion was and is, That they fhould pafs the morne at time appointed to the Regents Grace and Counfell with their commiffion: and if they were refused to reafon as Commiffioners of the Affembly, then and in that cafe they fhould return again to the Affembly with their commiffion, and report their refufal, to the effect the Affembly may take order thereanent. This their opinion being read, was approved be the whole Affembly.

Anent the Affemblies anfwer, touching the head of allowing of the order of affignation of Minifters ftipends, &c.: The Affembly appointed Mr George Hay, Commiffioner of Aberdeen, and Mr Alexander Arbuthnet, Principall of the Colledge, to prefent the faid anfwer to my Lord Regents Grace, and to report his Graces anfwer again thereanent. C.]

Seffio 7^a.

As concerning the appointing of fundrie kirks to one Minifter: To the end the matter may be plainer, and the mynd of the Kirk knawin to all men herein, the Kirk hes declarit, That howbeit fundrie kirks be appointit to ane man; yett fall the Minifter make his refidence at ane kirk, quhilk falbe properlie appointit to his charge, and he falbe callit principallie the Minifter of that kirk; and as concerning the reft of the kirks to the quhilks he is nominat, he fall have the oversight thereof, and help them, in fick fort as the Bifhop, Superintendent and Commiffioner fhall think expedient, and as occaffion fall ferve from his awin principall charge, the quhilk he in no wayes may neglect: And this ordour only to remaine quhill God of his mercie fall thruft out more labourers vnto his harveft.

[John Arefkine of Dun, Knight, Superintendent of Angus and Mernes, for certain cafes moving him, purely and fimpliciter demitted his office of Superintendentry in the hands of the Affembly prefently convened, defiring them to provide for another in that room, that the country be not deftitute of ane overfeer; not the lefs promifing to doe that thing which lyeth in his power for the comfort of the Kirk.

In like manner, Mr John Spotswood, Superintendent of Lothian, demitted his office in the hands of the Affembly, defired them to provide for another in his room, that the countries whereof he had the oversight, be

not destitute of a visiter; desiring also the Assembly to be mindfull of his sains and travells tane be him these 14 years bygane, in overseeing and visieng of the kirks from Stirling to Berwick, and labour in such sort, that he may be payed of his appointed stipend, yearly not yet paid, either by the payment of the same whole together, or, at the least, that such a portion yearly be paid to him, ay and while the said stipend be compleatly payed. The Assembly promised to travell with my Lord Regents Grace for performing of the said reasonable request, as occasion might serve.

Mr John Winrame, Superintendent of Stratherne, demitted purely and impliciter his office in the hands of the Assembly.

Forfamikle as the Diocy of Glasgow is of great and large bounds, so that impossible it is that the Bishop thereof may visite the same: In respect whereof, the Assembly thinks good, That there be two Commissioners appointed to support the visiting of the said diocy, to plant kirks therein. The naming of them, and their bounds where they shall travell, and their stipends for their travell was deferred; but to be done before the dissolving of this Assembly.

Mr Robert Pont, Commissioner of Murrey, in respect that George Douglas, Bishop of Murrey, is admitted Bishop of Murrey, purely and impliciter demitted his office of Commiffionarie.

The Assembly ordaineth Alexander Sibbald, Commissioner for Sanct Andrews, to warn Mr John Rutherford to produce his book before the brethren, appointed to revise the same, upon Sunday at four hours afternoon, in the Minister of Edenburghs chamber. Incontinent Mr John personally compeared, and protested as follows: Forfamikle as I Mr John Rutherford is required be the Assembly to communicate a certain book, which I have written, albeit not of purpose to sett forth the same, without the advice of them to whom it appertaineth, to certain brethren, I protest it prejudice not the jurisdiction of the Rector, nor be prejudiciall to me in any sort, seing it is but a free conference; and the Rector be immediate Judge, is one of the persons with whom I am willing to communicate the same; and alledges my book to be imperfect, therefore should not produce it, nor will not produce it, till I speak and advise with my immediate Judge Ordinar, the Rector of Sanct Andrews, &c. And hereafter he departed incontinent out of the Assembly. Notwithstanding the foresaid protestation, the Assembly ordained Mr Robert Hammilton, and Mr James Melvill, Ministers, To warn the said Mr John to produce

his book before the forsaide brethren, on Munday at 8 hours before noon, — in the Ministers chamber, to be tryed and fighted there, under the pain of disobedience to the Affembly.

The Commiffioners appointed to try Mr John Davidsons book, were the Laird of Dun, the Bishop of Sanct Andrews, against whom Mr John excepted, but was not heard, Mr Robert Pont, the Dean of Aberdeen, Mr James Lowson, Mr George Hay, Mr Alexander Arbuthnet.

A. D. M.D.LXXIV.

THE Generall Affembly haldin and begun [in the upper Tolbooth] at Edinburgh the 7 day of August 1574: In the quhilk were present Barronis, Bischops, Superintendents and Commiffioners to plant Kirks, Commiffioners of Provinces, Townes, Kirks, Univerfities, and Minifters. Johne Dunkanfone, Moderatour.

Seffio 1^a.

The Affembly vnderftanding that be the deceis of Johne Gray thair late clerk, the faid office of clarkship is vakand, and none as yet is provydit therto; and therefor befor any proceeding, that it is neceffar the faid rowme be filled, hes appointed thir brethren vnderwriten, viz. my Lord Deane of Aberdeine, Andro Hay, James Lowfone, Alexander Arbuthnet, Principall of the Colledge of Aberdein, James Melvill, Clement Litle, and David Lindefay, Minifter of Leith, (all Masters) to appoint the leits of them, of whose number the clerk is to be chofin. Quhilk brethren all in ane voyce nominat Mr James Ritchie, George Mackyfone, William Paterfone, Wryter, Patrick Fylder, fervant to Alexander Hay, clerk of the Secretit Counfell, to be the leits, of quhilk number the clerk of the faid Affembly is to be electit; and in the meane tyme, quhill the faid clerk be chofin and receivit, the faid Affembly hes ordainit Mr Andro Mylne to fupplie the place.

[In the trial of Bifhops, Superintendents and Commiffioners: The

Bifhop of Glasgow granted he had not exactly done his duty, alledging the caufe thereof to have been his occupation in temporall affairs of the Bifhoprick, and hearing Minifters preach at their own kirks ; and promifed amendment in time coming.

The Bifhop of Dunkeld was complained upon, For not vifiting of the kirks of Lothian which belonged to his diocy : Secondly, That he had taine no order with the reader of Abernethie, for his refidence, nor for fatiffaction of the flander given by him : Thirdly, For ufing Simonicall paction with unquhill Archibald Earle of Argile. To the firft he answered, He had not opportunity to vifite the kirks of Lothian : As for the fecond, He promifed to take order with the faid reader : To the thrid he answered, That my Lord Argile compelled him to give certain penfions forth of the Bifhoprick, which he hath revoked fenfyne : As for not excommunicating the Earle of Atholl, as he was enjoined in the laft Affembly, could alledge no lawfull excufe.

The Superintendent of Lothian was not complained upon, howbeit he did not vifite the whole kirks, feing his vifitation was free, and upon his own charges.

For vifitation of the kirks, of diligences of the Bifhops, Superintendents and Commiffioners of provinces, and of the queftions and fupplications to be given into this prefent Affembly, were appointed the brethren under-written, to wit, John Porterfield, Mr Adam Johnfton, Mr James Melvill, Peter Watfon, John Dykes, Mr Robert Wilkie, William Chriftefon, Mr George Mackefon, to affemble every day before noon ane hour, and ane hour after noon, while the books be perufed, the bills, fupplications and queftions answered ; and what they doe herein, to report to this prefent Affembly.

Seffio 2^a.

The tenor of the examination of Mr John Keith, Dean of the Chapter of Murrey, and Mr Andrew Simpson.

Mr John Keith, Perfion of Duffus, and Dean of the Chapter of Murrey, being accused, Why he being fummoned with the Chapter of Murrey to compear in Aberdeen before certain Commiffioners appointed be the General Affembly the 26 day of May, to try of the Bifhop of Murrey his

admission, stayed not the time of triall of their process, according as he and they were commanded: Answered, That at their coming to Aberdeen to the paroich kirk before the said Commissioners, the Commissioners began to intreat certain particular matters, concerning the state of the kirk there, and preferred not their cause and the triall of their process to any other purpose. The Commissioners answered, That their untimous coming caused them to enter into another cause; and when they desired them to stay till afternoon and the morning of the next day, they departed nevertheless upon the 27 day, without giving any advertisement unto them. The said Mr John being required, Whither, in conscience, he knew the approbation and witness given to the Bishop of Murrey his life, doctrine and good behaviour was true, as was written in the process, and of what assured knowledge they gave it: He answered, That the testimony of his conversation was only be report and brute as he heard, and not otherwise; whereupon they proceeded to that witness given. Being demanded, Whither these that subscribed his admission were altogether present, and heard his triall of doctrine and conversation: Answered, That the triall continued three days, but all were not present the said three days together at the triall of his doctrine; but the last day when they subscribed, all were present, except Alexander Winchester. Mr Andrew Simpson, Minister in Forreth, one of the said Chapter, answered to the Second article, touching the cause of their testification of his willing mind, and uprightness to enter in the Bishoprick, That that which they did was upon his own confession, who testified as they wrote his sute to be, and because he alledged he knew him at all times to be of sincere religion: To the Third he answered, That upon Sunday the 20 of December, the first of the three days, the whole Chapter was present, except Mr Alexander Gordon, Chancellor of Murrey, Donald Dow and Alexander Winchester. And upon the third day of examination, which was the 22 of December, All were present, except Donald Dow and Alexander Winchester; and these that were present subscribed together.

Mr George Hay, Mr Alexander Arbuthnet, and Mr John Craig, Minister of Aberdeen, produced the process exhibite be the Dean and Chapter of Murrey the 26 of May 1574, concerning the admission of the Bishop of Murrey to the said Bishoprick, together with their animadversions upon the said process, which they desired to be registered in the books of the Assembly. The Assembly appointed Mr John Keith and Mr Andrew

Simpson and the rest of the Chapter to answer thereto the next Munday, at nyne hours before noon. C.]

Sessio 3^a.

Anent the creatioun of ane Clerk of the said Generall Assemblie of the Kirk : It was vottit through the said hail Affembly, and concludit, That of the foure persons appointit on the leits, Mr James Ritchie, be reason the greatest part thereof gave thair consent to him, sould be clerk ; quho, in presence of the whole Affembly, solemnlie beand sworne to vse the said office of clerkship of the Kirk faithfullie, made promise to doe the same, and acceptit the said office vpon him.

[The Affembly ordaineth Mr Andrew Hay to proceed to deprivation, conform to the order, against John Anderson, because he had not kept the Synodall Affembly these seven years bygane.

The Affembly ordaineth, That humiliation and obedience being made be Tod in Glenquhome, he be admitted again to reading, and administratioun as before. C.]

Forfameikle as it is vnderstand to the said Affembly, That diuerse Ministers within this realme vses the office of Collectourie and Chamberlainrie vnder Bischops and vthers beneficent persons, quherthrow they are avocated from thair cures, and gives great occasion to slander the Kirk : Therfor it is statute and ordained in this present Affembly, That fra this tyme furth no Minister vse and exerce the said office of Chamberlainrie or Collectourie vnder whatfomever beneficent men, quherby they may be abstractit fra thair vocation ; and contraveiners therof to be deprivit of thair office, and to be secludit therfra.

Sessio 4^a.

[Anent the supplication given in be Mr John Spottwood, Superintendent of Lothian, dimittit in the hands of the Affembly his office of Superintendentry, as well be reason of his age, now being unable to undertake the unportable travells committed to him in his office, as be reason that since his acceptation thereof, for the space of two years he received no stipend ;

therefore desiring some zealous able person to take the said cure upon him, that the Kirk be not destitute in thir perillous times: The Generall Assembly having considered the said supplication, seing the present necessity and state of time in danger, and appearand perrill effectually to succeed, in case the said dimission were received, brotherly requested the said Superintendent, in the name of God, to continue in his office till the nixt Assembly, using such diligence therein, as he may reasonably without hurt or damage to his person: and for assistance and aiding of him in his travells, the Assembly hath appointed Mr David Lindsay, Minister of Leith, or such two as he shall require within his bounds, who have promised to concurr with him; and in the mean time the Assembly shall procure at my Lord Regents Grace, provision to be made to him, and others of the like vocation and charge within the Kirk, for their stipend.

At the diet appointed Mr John Keith and Mr Andrew Simpson, for the Dean and Chapter of Murrey, to give in their replies to the animadversions produced be Mr Alexander Arbuthnet, Principall of the Colledge of Aberdeen, and his colleagues, against the process used be the said Dean and Chapter in admitting of the said Bishop of Murrey to the Bishoprick, conform to the last act of the Assembly in this case; the said Mr Alexander and Mr George Hay, one of his colleagues, being personally present, compared the said Mr Andrew and Mr John Keith, and produced their replies in writt. The Assembly continued their deliverance and answer in the said matter till the afternoon.

Sessio 5^a

Anent the deliverance and determination of the General Assembly upon the impuginations given in be Mr George Hay, Commissioner of Aberdeen, and his colleagues, against the process used be the Dean and Chapter of Murrey, in election and admision of the Bishop of Murrey to the said Bishoprick, produced by Mr Andrew Simpson and Mr John Keith, and upon the replies given in be the said Mr John and Mr Andrew, for the part of the said Dean and Chapter; the said Mr George and Mr Alexander Arbuthnet, one of his colleagues, being present, and the said Mr Andrew and Mr John likewise being personally present: the said Assembly continued

the pronouncing of the deliverance and determination of the said matter to the tenth of this instant.

Sessio 6^a

The Assembly hath concluded commissiōn to be given to their loved brother John Areskine of Dun, Superintendent of Angus, Mr George Hay, Commissiōner of Aberdeen, Mr Alexander Arbuthnet, Principall of the Colledge of Aberdeen, Mr John Craig, Minister there, Robert Fairlie of Braid, John Heriot of Trabroun, or any three of them, to treat with my Lord Regents Grace, upon the heads and articles concluded in this Assembly to be presented be them to his Grace, for resolution and answer to be had thereupon, conform to the commissiōn granted to them thereupon; whereof, with the tenor of the saids articles, the contents after follow; and ordaineth a supplication to be direct to his Grace for his Graces answer upon the saids articles.

The tenor of the Commissiōn given to the Commissiōners of the Kirk, for presenting the Articles to my Lord Regents Grace.

At Edenburgh the tenth day of August 1574, the Generall Assembly of the Kirk of Scotland, conveened presently within the same burgh for intreating of such things as concern the glory of God and weal of the said Kirk, understanding be diverse complaints proponed to them, the iniquity that univiersally abounds throughout this countrey; as also having putt in consultation diverse heads most necessar and godly, for the weal of the Kirk of God, and establishing of the Evangell, wherein my Lord Regents Graces good assistance and help would be earnestly craved; Has given, granted and committed, and be the tenor hereof gives, grants and committs to their loved brethren, John Areskine of Dun, Superintendent of Angus, Mr George Hay, Commissiōner of Aberdeen, Mr Alexander Arbuthnet, Principall of the Colledge thereof, Mr John Craig, Minister there, Robert Fairlie of Braid, John Heriot of Trabroun, or to any three of them, their full, free and plain power to pass to my Lord Regents Grace, and to present to his Grace humbly the saids heads and articles, which the said Assembly hath putt in writt, direct with them to his Grace

to reason and confer thereupon ; and to require his Graces answer upon the saids articles, to be reported again be them to their nixt Assembly : firm and stable holding and for to hold whatfomever the saids Commiffioners, or any three of them, in the premisses, to the glory of God and his Kirk righteously leads to be done. C.]

[The tenor of the Articles of the Generall Assembly of the Kirk of Scotland, to be proponed to my Lord Regents Grace be the Commiffioners of the Kirk. C. & B.]

In the first, That stipends be grantit to Superintendents in all countreys destitute thereof, whither it be quher ther is no Bischops, or quher ther is Bischops and may not discharge thair cure, as the Bischops of Sanct Androes and Glasgou.

Item, That in all burrowstouns, quher the Ministers therof are displacit and serves in vther kirks, that thair Ministers quho servit them of befor, be restoreit againe to awaite on thair cures, and they be not obleift to any vther kirk ; or els that vthers be placit in the saids townes.

Item, That his Grace will give commiffion to certaine gentlemen in every countrey, that incest, adulterie, witchcraft and sick odious crymes, quherwith the countrey is replenishit, may be punishit.

Item, That in every kirk destitute of Ministers, sick persons as are present and readie to be plantit, be placit, and stipends grantit vnto them ; whose names salbe given vp be the Bischops, Superintendents and Commiffioners.

Item, In respect that in the ecclesiasticall functioun ther is two only distinct offices of teaching, the Doctour that interpretes the Scriptures, and the Minister to preach and apply the same : That his Grace will take ordour, that Doctours may be placit in Univerfities, and stipends grantit vnto them ; querby not only they quho are presentlie placit, may have occasion to be diligent in thair cure, but also vther learned men may have occasion to seik places in Colledges within this realme.

[Item, That his Grace will take ordour with the Ministers, to whom there was restand awand of the Collectors of the years bygane, certain rests that may be paid.

Item, That the saids Commiffioners travell with his Grace for Mr John Davidson, anent his kirk. C.]

Item, That his Grace will take ane general ordour with the pure, especially in the Abbayis, sikk as Aberbrothock and vthers, conforme to the Act made at Leith; and in speciall to discharge teind fybowis, leiks, keale, ongoons, be ane act of the Secreit Counsell, quhill ane Parliament be conveyit, that they may be simpliciter dischargit.

Item, That his Grace will grant commiffion to certaine persons in every dyocie to sitt in causes of divorcement, quher the parties are poore.

[Item, Because there are fundry Bishopricks vacand, such as Dumblaine, Roffe and others, That his Grace wald take order that some qualified persons be provided thereto with diligence. C. & B.]

[Item, Because there are diverse Ministers, whose cures are augmented and stipends diminished, That his Grace take order therewith. C.]

Item, That his Grace wald cause the books of the Assignatioun of the Kirk be delyverit to the Clerk of the Generall Assembly.

[Item, Forfamikle as there is diverse books sett out be Jefuits and other hereticks and erroneous authors, containing manifest contumelies and blasphemies against God, and his revealed truth, and yet are dayly inbrought in this countrey be Poles, crammers and others, to the heavy offence of the Kirk of God, That his Grace will provide remeed.

Item, It is understand to the Generall Assembly be credible report of certaine learned men lately arrived within this countrey, that a French printer of the best renowned this day, nixt Henricus Stephanus, being banished with his wife and family from his countrey, hath offered unto them to come in Scotland, and to bring with him three thousand franks worth of books, and to print whatsoever work he should be commanded; in so much that there should not be a book printed in French or Almain, but once in the year it should be gotten of him, if he might have sure provision of a yearly pension of three hundreth merk; which indeed is ane offer so comfortable to the countrey and Kirk, that it ought not to be overseen: That his Grace will consider the same offer, and take order therewith.

The form of the Supplication direct to my Lord Regents Grace be the
Affembly, with the Articles.

The General Affembly of the Kirk of Scotland, conveened at Eden-
burgh the 7 day of August 1574, to my Lord Regents Grace
witheth perpetuall prosperity, and increafe of the Holy Spirit.

It will please your Grace : In this our late Affembly diverse great
enormities and faults being found univerfally through the countrey, pro-
poned for amendement thereof, and whereof very neceffity craveth to have
had correction ; as also fundry other heads being putt in this consultation,
very neceffar and profitable for the advancement of the Kirk of God
within this realme : most neceffar it was thought of all, that your Graces
help and affiftance should be fought and implored thereunto, that the
wrath of God, which presently hangeth over this realme be reason of the
fame enormities, may be taken away ; and therefore we have direct com-
mission to our beloved brethren, John Areskine of Dun, Mr George Hay,
Commiſſioner of Aberdeen, Mr Alexander Arbuthnet, Principall of the
Colledge thereof, Mr John Craig, Miniſter thereof, Robert Fairlie of
Braid, John Heriot of Trabroun, or to any three of them, with certain
articles to be preſented to your Grace for reformation of ſuch things as
are contained in the ſame ; whereof we doubt not, ſeing the ſamine are
both godly and honeſt, and for the weal of the Kirk of God, which we
doubt not but your Lordſhip tenders, but your Grace will give a reaſon-
able and godly anſwer thereto ; ſeing your Grace is and ſhould be the
father of the Kirk and common weal, which we recommended to your
Grace, praying God to preſerve the ſame in good eſtate, to the comfort
of his Kirk, and the common weal of this realme. From Edinburgh the
eleventh of August 1574.

Your Graces moſt humble Subject, Mr James Ritchie, Clerk
of the General Affembly, at the commandment thereof.

ſellio 7^a

For reading and anſwering to the ſupplikations and complaints given

to the Affembly, this prefent Affembly nominates and appoints their brethren, Mr David Cunninghame, Mr James Carmichael, Minifter of Hadinton, William Sanderfon, Minifter at Whittinghame, Alexander Fofter, Minifter at Tranent. C.]

Forfamikle as it is vnderftand to the General Affembly of the Kirk, that ther is diuerfe perfons quho, in their wyfes tyme, committs adulterie with vther mens wyves, and thereafter, after their wyves deceife, maries them quhom they have polluted in adulterie: Therfor it is ftatute and ordanit be this prefent Affembly, That Bifchops, Superintendents and Commiffioners of provinces charge all fick perfons fo joynit in that flanderous and vnleifum band, to feparate themfelves and abftaine fra vther, vntill the tyme it be decydit be the Judge Ordinar, Whither the faid mariage be lawfull or not, vnder the paine of excommunication to be execute againft diffobeyers.

[In the books of vifitation which fhall be prefented to the Affembly be the Bifhops, Superintendents and Commiffioners of provinces, it is ordained, That the names of their kirks be given up in fpeciall be them in the beginning of the faids books.

Anent Bifhops, Superintendents and Commiffioners of Kirks, who fhall be found negligent in their office, or doe not their dutifull charge, either in their vifitation, doctrine or life: The Affembly hath decreed and ordained, That they fhall be punifhed and corrected according to the quality of their faults, either be admonition, publick repentance, deprivation for a time, or deprivation fimpliciter, at the fight of the faid Affembly.

Seffio 8^a.

Anent the time appointed be the General Affembly to pronounce their deliverance and anfwers upon the impugnations produced be Mr George Hay and his colleagues, againft the procefs of admiſſion and election of the Bifhop of Murrey, produced be Mr Andrew Simpſon and Mr John Keith in name of the Chapter and Dean of Murrey, and upon the replies made thereto: The faid Affembly underftanding, That the faid Bifhop hath fpeciall interefs in the faid caufe, and is not fummoned thereto, ordaineth a citation to be direct out for fummoning of the faid Bifhop, Dean and Chapter, in the premiffes to the nixt Affembly; and appointeth John

Durie, Minister of Edinburgh, and Mr George Mackefone, Soliciter of the Kirk, to travell with the procurators of the Kirk, for libelling of the said summons against them, and to see that diligence be used for raising thereof.

Ordains Mr Andrew Milne, Minister, to cause the Superintendent of Mernes and Angus to fend over the Conference had at Leith, to be acted in the books of the Affembly. C.]

Tuiching the complaint made vpon the Bifchop of Dunkeld, for miniftration of the holy fupper vpon worke dayes, at the kirks within his jurifdictioun: It is thought good be the Generall Affembly, That the said Bifchop forbear the miniftratioun of the said facrament vpon worke dayes, and cause it to be miniftrat vpon the Sabboth dayes, according to the ordour of the reft of the kirks within this realme.

[Forfamikle as in the acts of the General Affembly concluded of before, the said Bifhop of Dunkeld was decerned and ordained to pronounce the fentence of excommunication against John Earle of Atholl, wherein notwithstanding nothing is proceeded, but the said act plainly contraveened: Therefore it is statute and ordained, That the said Bifhop proceed against the said Earle with the fentence of excommunication within 40 days nixt thereafter, under the pain of fufpenfion of him from his said office; and to the obfervation of this prefent act, the said Bifhop hath interponed his faithfull promife.

The fame day, complaint being made upon John Brand, Minister of Halyrudhoufe, That he had not pronounced the fentence of excommunication against Alexander Bifhop of Galloway, conforme to the act of the Generall Affembly made of before: It was statute and ordained, That the said John proceed against the said Bifhop and pronounce the fentence of excommunication against him, if the said Bifhop compeared not betwixt and Lambmeis nixt, and fatiffy the said Kirk, under the pain of deprivation of the said John of his office, in cafe he failzie therein. C.]

Seffio 9^a

[Forfamikle as be imprinting and putting [to] light of works repugnant to the truth of Gods word, or containing manifft error, the weak ones of the truth may be heavily prejudged and feduced from the truth: There-

fore the Generall Affembly presently conveened, all in one voice have given power to their loved brethren, Mr Robert Pont, Provest of the Trinity Colledge, Mr James Lowfone, Minister of Edenburgh, Mr David Fergufone, Minister of Dumfermline, Mr David Lindsay, Minister of Leith, Mr Clement Little, one of the Commissioners of Edenburgh, John Brand, Minister of Halyrudhouse, or any three or four of them conjunctly, To visite and overfee all manner of books or works that shall be proponed to be printed, and to give their judgement thereupon, if the same be allowable and approved be the Law of God or not; their judgement and opinion thereof be their subscription and hand writt to witness and testify for relief of such as shall read the said works: which commiffion of oversight forsaide the said Generall Affembly willeth to endure firm and stable to their next Affembly.

For reviewing and fighting of the history of Job compiled be Mr Patrick Adamfone in Latine verse: The present Affembly hath willed their loved brethren, and the right honourable Mr George Buchanan, keeper of the Privy Seal, Mr Peter Young, Pedagogue to our Sovereign Lord, Mr Andrew Melvill, Mr James Lowfon, Minister of Edenburgh, to take travell in perusing of the said work; and if the same be found be them agreeable to the truth of Gods word, to authorize the same with testimony of their hand writt and subscription. C. & B.]

[Anent the petition of Mr Robert Pont and Mr Thomas Makcalgean, two of the Senators of our Sovereign Lord his Colledge of Justice, proponed in name and behalf of the said Colledge, desiring the Generall Affembly to provide, That the readers of ilk kirk note up the names of the persons departed within their parishes yearly, and deliver the same to the Superintendents to be exhibite be them at ilk Affembly: For satisfieng of the said petition, it was thought good and delivered be the said Affembly, That the readers at every kirk, in the Synodall Affembly present the catalogue of the names of the persons deceased within their paroch to their Superintendents, to the effect that they may report the same to the Generall Affembly, to be delivered to such as shall be appointed be the saids Lords for receiving of the same. C.]

For avoyding of Simonie in the Kirk, the hail Affembly of the Kirk, all in ane voyce, hes vottit, concludit and decreit, That all sick persons as either buyes or sells benefices, or vses any vther kynd of coupling thereof, either directlie or indirectlie, falbe depryvit of all kynd of function within

the Kirk, and the discipline of the Kirk strike vpon them with all kynd of rigour and extremitie; and the buyers, fellers, or vtherwayes coupers of the benefices to tyne the fame for ever.

It is ordained, That the Clerk of the Affembly receive of the Bishops, Superintendents and Commissioners, the names of the Ministers and readers provided since the decease of unquhill John Gray, late Clerk of the said Affembly, with the day and date of their admiffions, to the effect their names may be infert in the books of the Kirk.

Ordains to writt to the brethren Commissioners appointed for presenting the articles concluded in this Affembly to my Lord Regents Grace, to receive the saids articles with their commiffion and supplication to his Grace; and, in speciall, to putt them in remembrance touching Mr John Davidfons Dialogue.

That the Bishop of Dunkeld, for his departing before the diffolution of this present Affembly, againft the tenor of the act made the 13 of March 1572, be delated at the nixt Affembly.

The Commiffioner of Cliddiddaill, Ranfrew and Lennox religned over in the hands of the Affembly his commiffion in thefe parts, praying the Affembly to provide fome qualified zealous perfon in his place, that the countrey grow not to all kind of infolence and diffolution; which dimiffion the said Affembly, in refpect of the present ftate and neceffity of time, would not receive, requesting him brotherly to continue in his commiffion till the nixt Affembly, with fuch diligence in his office as he may reasonably use, that the Kirk be not deftitute in the mean time.

The tenor of the commiffion given to Mr John Robertfon and Robert Grahame, Commiffioners of Cathnes.

At Edenburgh, the eleventh day of Auguft, the year of God 1574 years. The whole Kirk presently affembled, in one voice and mind, giveth full commiffion, speciall power and charge to their loved brethren, Mr Robert Grahame, Archdeacon of Roffe, and Mr John Robertfon, Thefaurer thereof, conjunctly and feverally, to pafs to the countries of Cathnes and Sutherland, and there to vifite Kirks, Colledges and Schools and other places needfull within the saids bounds, and in the fame to plant Ministers, Readers, Elders and Deacons, Schoolmasters and others members neceffar and requifite for erecting of a perfect reformed Kirk; fuspend

for a time or simpliciter deprive such as they shall find unworthy or not apt for their office, whither it be for crimes committed or ignorance; abolish, eradicat and destroy all monuments of Idolatry; establish and sett up the true worship of the eternal God, as well in Cathedrall and Colledge Kirks, as in other places within the saids bounds, conform to the order taine and agreed on in the Book of Discipline; and also to search and inquire the names of all these that possess benefices within the saids bounds, at whose provision they have been; and if any vaikie or happen to vaikie within the Commissionary, to confer and give the same to the persons qualified, and being presented be the just patrons of the same, the due examination preceeding, to reject and refuse such as they shall find unable and not apt thereto, as they will answer to God and the Kirk thereupon: Their diligence to be done therein with thir presents, to report them to the next Assembly, where it shall happen to be holden for the time. Given in the Generall Assembly and 9 Session thereof. Subscribed be the Clerk of the same, day, year and place forsaid.

Session 10^a.

Anent the answers reported from Mr Robert Hamilton, Minister of Sanct Andrews, direct to the Moderator present, to the bill direct from the Assembly to him for his compearance before them to answer super inquirendis, excusing him be the business of the Colledge, and be the Superintendent of Stratherne who declared to him that the Assembly was to dissolve incontinent: The Generall Assembly of the Kirk giveth commission to Mr John Spotswood, Superintendent of Lothian, Mr Robert Pont, Provest of the Trinity Colledge, Mr David Lindsay, Minister at Leith, John Brand and the Kirk of Edinburgh, with any three of the fornamed persons, conjunctly to summon the Ministers, Elders and Deacons of Sanct Andrews to compear before them and to try the cause, why the Fast was not kept among them according to the Act of the said Assembly; and of the violation of the Sabbath day by profane playes, and such other things as they shall inquire of them at their coming; and what beis done be them hereinto, to certify the brethren in their next Assembly.

The brethren underwritten, they are, to witt, Mr Robert Pont, Provest

of the Trinity Colledge, and the rest of the Commiffioners depute be the Kirk to the conference with my Lord Regents Graces Commiffioners, reproduced in plain Affembly the tenor of the said conference, hinc inde in writt ; which conference the said Affembly caufed deliver to Mr George Mackefone, Soliciter for the Kirk, to be copied and given out in examples to the Bishops, Superintendents and Commiffioners of the Kirk and Minifters, as he fhould be required upon their reasonable charges.

Questio, To the question moved to the Affembly, C.] Whither if the parochiners of a towne, or the Provest and bailies thereof, aught to have the electioun of thair awin belman and Clerk : It is anfuert, That sikk as payis them fould choofe them.

[The brethren appointed for vifitation of the books of Bishops, Superintendents and Commiffioners of provinces, gave their judgement thereof in writt to the Affembly.

Forfamikle as it is neccellar, in case of the Affembly of the Eftates of the realme or Parliament, that the Kirk be refolved in fuch things as they have to propone to the fame, which neccellarly requires a certain fpace of before : Therefore C.] The brethren hes thoght good, in case of any Parliament to be haldin, or any vther weghtie caufe requyreand neccellarlie the prefence of the body of this hail Affembly, That the Superintendent of Louthiane, Mr James Lowfon, Minifter of Edenburgh, Mr David Lindefay, Minifter of Leith, make lafull premonitioun and advertifement to thair brether, to be prefent vpon sikk competent fpace befor as they fall think needfull ; quhilk Convention of before falbe recountit for ane Affembly.

That absents from this Affembly be fumound to the nixt Affembly to heir them convict of absence ; and punifchment to be joynit to them at the fight of the Kirk.

A. D. M.D.LXXIV.

THE Generall Affembly begun and haldin at Edinburgh [Counsell house] the vij day of Marche 1574: In the quhilk were present Earles, Lords, Bifchops, Superintendents, Commiffioners to plant Kirks, Commiffioners of Provinces, Townes, Kirks, Vniverfities, and Minifters. James Bifchop of Glasgou, Moderatour.

Seffio 1^a.

[IN the trial of Superintendents, Bifhops and Commiffioners, The Superintendent of Angus was complained upon, that quires within his diocy were ruinous: He answered, He had appointed takfmasters within every paroich, raifed letters and ufed diligence, and farther upon his own coft fupported diuerfe quiers as he might.

The Bifhop of Dunkeld was delated, for not proceeding againft the Earle of Atholl to excommunication; that he departed from the laft Affembly before the diffolving thereof; for making Simoniacall paction with unquhill Archibald Earle of Argile. To the firft he answered, That he had ufed admonitions againft the Earle of Atholl, who defired fome conference of godly and learned men, to the effect he might be refolved in fuch doubts of religion as prefently move him, feing that hitherto he hath not heard preaching; and required the aid of the Superintendent of Angus, the Superintendent of Lothian, Mr John Winram, Prior of Portmook, Mr James Lowfon, Minifter of Edenburgh, Mr George Hay, Commiffioner of Aberdeen. The Superintendent of Lothian was abfent: But the Affembly ordained the reft, or any three of them, to confer with his

Lordship afternoon, and to confer with him upon such heads of religion as he standeth unresolv'd in, and to report his answer to the Assembly. To the second he answered, That he being advertis'd of a bairne deadly sick who soon after departed, went in haste out of the town, without advertisement of the brethren; and if this excuse was not sufficient, was content to underly the will of the Assembly for a penalty. To the third he answered, He made no paction for the promotion of him to the Bishoprick, but refus'd when he was required.

Sessio 2^a

The Bishop of Brechin complain'd upon the Bishop of Dunkeld, That in the last Assembly he should have alledged that he was compelled by the Earle of Argyle, now resting with God, to give out pensions, which alledgance was a slander of the Nobleman departed, and desired it to be proven. The Bishop answered, That he declared he was press'd by the said unquhill Earle of Argyle to doe something against his will. He shall give in writt his declaration wherein he was press'd; and if he have fail'd in terms, he shall refer him to the brethren. The brethren appointed him to exhibite the declaration in writt upon Wednesday.

The Bishop of Murrey removed, It was remembred by some of the brethren that the question is yet undecided, if he be Bishop lawfully chosen or not; which most first necessarily be resolv'd, before he be try'd in life and doctrine as a Bishop. The Assembly deputed their brethren underwritten, Mr John Winram, Prior of Portmook, &c., Mr Andrew Hay, Commissioner of Ranfrew, &c., Mr David Cunninghame, Mr Andrew Melvill, Principall of the Pedagogie of Glasgou, to convene the morne at seven hours, and advise with the process of the said Bishops election, and thereafter give their opinion and judgement anent the said question.

The Bishop of Glasgou being removed, It was complain'd, that fundry Papists are within his bounds adjoined to the Kirk, and yet doe not communicat; and that a great number of kirks within his diocye are ruinous. To the first he answered, It was true, but he desired the Assembly to prescribe such order and discipline as should be us'd against them, which he promised to follow. And as to the ruinous kirks, It is not in his power to repair the same; albeit he had us'd the common order for reedifieng of them.

Mr George Hay, Commissioner of Aberdeen, was complained upon, That the Synodall Affsemblies were not kept by him ; and a day being appointed for the Synodall Affsembly, he discharged the same ; and further, that none of the Ministers, betwixt Dee and Spey, convened to this Affsembly : next, That the most part of the kirks were ruinous through his diocye : and last, That there was no discipline used against hainous offenders within his bounds. To the first he answered, That the Synodall Affsemblies were kept ; and that the Affsembly appointed to be holden in Turreff was discharged by him, by reason he might not be present thereat, being occupied in reconceiling of the deadly feid ; as for the Ministers who were absent, they had promised to be present, namely Mr Craig, who had sent his excuse in a letter. As for the second, He had appointed takf-masters, and used the order that became him. What he had done for correcting of vitious persons and injoining discipline to them, referred to his books of visitation.

Mr Patrick Adamson, Commissioner of Galloway, confessed he had not used that diligence which lyeth to the full execution of his office, because no stipend was appointed for the same ; and yet did *pro virili*.

Mr John Row, Minister of Perth, detained in his bed by the fever, sent his excuse to the Affsembly, and willed them to appoint some learned men for further triell of Mr Andrew Grahame, son to the Laird of Morphie, presented by my Lord Regents Grace to the Chapter of Dumblane, to be promoted to the Bishoprick thereof. The Affsembly directed the said Mr Andrew to give proof of his doctrine before the whole brethren who shall be assembled in the Counsell house, the morne at eight hours, upon the text appointed by them to him.

The brethren appointed to confer with my Lord Atholl, reported, That he was not fully resolved in sundry heads of religion, and desired he might have some conference with some of the gravest of the Ministry, as the Superintendent of Angus, the Prior of Portmook, Mr James Lowson, Mr George Hay, Commissioner of Aberdeen, promising of his honour, that he should assist my Lord Bishop of Dunkeld for punishing of offences within his bounds, and setting forward of his Synodall Affsemblies, and that no slander or offence should be found within his house. The Affsembly appointed the same brethren to confer and reason with him till the morne.

Sessio 3^a

Anent the judgement of the brethren, touching the question anent the triell of the Bishop of Murrey: The Assembly findeth it meet, and ordaineth their brethren, appointed before to deliberate upon this difficulty, to propone their judgement therupon at afternoon.

After the exercise made be Mr Andrew Grahame, elect of Dumblane, the Assembly, for better triell of the said Mr Andrew his doctrine and erudition, appointed Mr James Lowson, Minister of Edinburgh, Mr Andrew Hay, Commissioner of Ranfrew, Mr John Winram, Prior of Portmook, Mr Robert Matlane, Dean of Aberdeen, Mr George Hay, Commissioner of Aberdeen, Mr David Cunninghame, Mr Andrew Melvill, to try the said Mr Andrew be questions on the Scripture, at two afternoon; and so many as were present before, to be present at this triell.

The Assembly findeth it meet, that the Earle of Atholl his demand be given in writt with his offers, and appoints Mr David Lindsay, Minister of Leith, and Mr George Hay, Commissioner of Aberdeen, to require the same of his Lordship; who, at the same instant, being dispatched from the Assembly to the Earle, returning, reported, That his Lordship suted a delay, while he might have consultation of learned men to the resolution of difficulties; and what he had promised of before, of his honour he should keep the same to the least point. The Assembly earnestly craving the saids Lords conversion, and willing to win him be all means possible, that he might be joined to the Society of the Kirk, assigneth to the said Lord, betwixt and Midsummer nixt, to be resolved in the points of religion; and if he failzie therein betwixt and the said day, and continueth in his former opinion, standing obstinat therein, ordaineth the Bishop of Dunkeld to proceed against him with excommunication, under the pain contained in the Assembly preceeding made thereupon: And, in like manner, to proceed with the same sentence against his Lady, if, betwixt and the said day, she join not herself in like manner to the religion, according to the order presently established; with admonitions in the mean time to be made to that effect.

Touching the complaint of the Bishop of Glasgow, that his bounds belonging to his jurisdiction was so large and wide, that one person was not able to visite and oversee them: Whereof the Assembly having con-

videration of before, gave commiffion to Mr Patrick Adamfon and Mr Andrew Hay, to vifite certain parts and bounds limited in their commiffions, who, for inlaike of ftipend, may not await thereupon: And feing he payeth his thrid, and cannot upon the two part fufftain them, defireth the Affembly to take order herewith: Who ordained ane humble fupplication to be made to my Lord Regents Grace for providing the faids Commiffioners for byganes, till farther order be taken, to be prefented to his Grace be John Arefkine of Dun, and Mr James Lowfon, Miniſter of Edenburgh, and to report his Graces anſwer the morne.

In name of my Lord Maxwell, Lord Hereis, Lairds of Dumlanrig, Clofeburn, Larg, James Crichton of Garko, prefented a letter to the Affembly, wherein they lamented, that theſe three years bygane, their bounds, for laike of Superintendents and viſiters, had become altogether forgettfull of their duty toward God, and altogether before this time had ſhaken off obedience, if Mr Peter Watfon had not taken pains to vifite, and water the poor ones with the Evangell; defiring therefore the brethren to give commiffion to the faid Mr Peter to vifite the faids bounds, as their letter dated at Dumfreis, ſubſcribed with the faid Noblemens hands the day of February 1575, bears: Wherewith the faid Affembly being adviſed, commending the zeal of the faid Noblemen, hath given, and be thir preſents gives commiffion to the faid Mr Peter to vifite the bounds of Nithifdail, [and] Annandaill, conform to the commiffion given to him to that effect, till the nixt Affembly.

In like manner, The Affembly giveth commiffion to their brethren, Mr Andrew Clayhill to vifite the bounds of Tiviotdail and Tweeddail, and to plant Miniſters, &c., conform to the commiffion given to him thereupon.

Sicklike, Giveth commiffion of a Superintendethip to Mr John Winram, Prior of Portmook, in the bounds of Fife and Stratherne, exeeming the bounds appertaining to the Biſhop of Dunkeld.

The Superintendent of Angus and Mernes continued in his office till the nixt Affembly, and the Biſhop of Brechin required to be preſent with him at viſitation, that he may ſee the order and proceeding uſed be the Superintendent in his office.

For ſatiſfieng the complaint given in againſt the Biſhop of Dunkeld, for not appointing of Miniſters to Preſton and Bonkle, The Affembly ordaineth the Biſhop to plant Miniſters at the faids kirks, and to vifite the ſame, that no farther complaint be heard.

Sessio 4^a

For reading and answering of bills and complaints, The Assembly appoints their well beloved brethren, Mr Patrick Adamson, John Brand, Mr Gilbert Gardin, Minister at Elgine, and George Scot, to convene in the Ile of the kirk, at seven hours in the morning, and at one afternoon, till the same be wholly resolved and answered, and to remitt such as they find doubtfull to the consultation of the whole Assembly.

Anent the supplication given in be Alexander Bishop of Galloway, desiring the Generall Assembly that he may make satisfaction in any kirk to be commanded be them, without sackcloth, and namely within his own jurisdiction, seeing that, by reason of his non compearance before them, he was ordained to be excommunicat, then being at the horn and unable to compear, as the same at length bears: The said Alexander removed out of the Assembly, the brethren after long disputation whither the said decreet ought to be satisfied, notwithstanding the alledgance of horning, or if he should be heard, notwithstanding the decreet given against him, to answer to the accusations which of before were laid to his charge, Found in respect of the alledgit impediment of horning, that once yet he should answer to the same accusations. And being called in Assembly, the particular heads of accusation, contained in the books of the Assembly, read in his presence, answered to every accusation orderly: And to the first, That he was compelled be authority that then was to accept the Ministry, and was chosen be the flock then present: And to the second, Grants he preached the Queens authority to be lawfull, and enjoys the priviledge of the Pacification: To the thrid, He made prayers for her, and otherwise would not have been suffered to preach: And as to the condemning and accusing of the Ministers, Denyes the same, with the ferd accusation: And as to the fift, answered, That he with certain others in the first Regents time in Parliament, protested, that in case the Queen were sett at liberty, that their promise and faith were fred: and denyeth the sixt accusation, with protestation to the Assembly, that they would have some consideration of his case, seeing in Gods presence he damns his former offences. Who being removed again out of presence, after deliberation and long reasoning upon the whole circumstances and estate of the matter, with consideration of my Lord Regents Graces request made in his favours, the

brethren ordained the said Bishop to appear before the Kirk of Halyrud-houfe, without sackcloath, upon Sunday nixt to come, and in prefence of the congregation therein convened, humbly to confefs his offences and ask the Eternal God mercy.

The brethren depute to the penning of their judgement upon the question moved upon the Bishop of Murrey his triell, gave in their opinion in thir words: That they think it needfull, in respect of the suspicion conceived be the triall of his doctrine and manners, that he give personally such tryal of his doctrine as the shortness of time will permitt; and sicklike, that he make his purgation of the slanderous crimes whereof he was accused in the Assembly before, without prejudice of the process depending. The determination hereof the brethren reserved till the morne.

Sessio 5^a

For vifitation of the books, The brethren appoints Mr James Melvill, Mr James Hepburne, Mr Adam Blackhall, Mr Andrew Clayhills, Mr Peter Primrose, to concurr and meet at two hours afternoon where they think expedient, and continue in perusing thereof, while the same be thoroughly read and considered, and to report to the Assembly what they find in the same.

The Superintendent of Angus and Mernes reported my Lord Regents Graces answer anent the Commissions of the Bishop of Glasgow and Superintendent of Lothian, That his Grace promised to take order therewith.

Anent the judgement of the brethren depute to the triell of the Bishop of Murrey, reserved to this days determination: The whole Assembly, according to the opinion of their said brethren, thought their judgement most probable; therefore calling in the said Bishop, demanded, How he had satisfied the act of Assembly, concerning the purgation of the slander: who answering, That he come before the Bishop of Sanct Andrews now resting with God, and satisfied the said act, whereof notwithstanding he had no witnesses to affirm his assertion. The General Assembly gave commission to their brethren, the Superintendent of Fife, Mr James Wilkie, Rector of Sanct Andrews, Mr William Cooke, Commissioner of Sanct Andrews, present, to take the saids Bishops purgation of the said slander

the morne, in the said manner as he should have done before the Bishop and Kirk of Sanct Andrews; and because he is presently under medicine, that he may not travell for teaching to give proof of his doctrine, deutes their brethren, Mr John Winram, Superintendent of Fife, Mr George Hay, Commissioner of Aberdeen, Mr Andrew Melvill, to conferr and reason with him upon the points of religion the morne at seven hours, and what they find thereanent to report to the Assembly.

Anent the opinion of the brethren appointed to visite the procefs of the election and examination of the Bishop of Rosse: The whole Assembly, according to their judgement, found it meet, that he give new proof of his doctrine and literature in presence of the Assembly, upon Saturday at eight hours, and appointed to him the last part of the first chapter of Zechary.

Because in the Assembly holden in August last, ane act and ordinance was made for summoning of the Chapter and Bishop of Murrey, to hear triell taken of the procefs of his election, wherein notwithstanding nothing is done nor putt in execution be the brethren appointed to take triell therein, be reason of pretended ignorance of the said ordinance; therefore be universall consent of the brethren, it is of new concluded, That a citation be directed out against the said Chapter, and Bishop for his intrefs, for production of the said procefs in the Assembly nixt to come, to hear and see triell taken thereof, with certification if they compear not, the same shall be declared null and void in the self; and for execution of the said summons, the said Assembly hath appointed Mr Robert Grahame, Commissioner of Rosse, now present and accepting the charge.

For redressing of the general complaint made be fundry brethren, That the exercife within towns is dishaunted, and that Bishops, Superintendents and Commissioners are not so diligent as duty requireth to attend the keeping thereof, the same being so necessar a mean to the furtherance of the course of true doctrine: It is statut and ordained, That all Bishops, Superintendents and Commissioners within their bounds be carefull and diligent to enterteane the said exercife upon the days appointed thereto, and specially the Superintendent of Fife.

The Assembly appoints the morne at two hours to the Commissioners appointed to the conference with Mr Andrew Grahame, elect of Dunblane, to conferr and reason with him as was enjoyned before. C.]

Sessio 7^a.

Forfameikle as the greateft part of the doctōrs and interpreters of the Scriptures that hes travellit in the interpretatioun and expositioun of the fame, hes wrytin and comentit in the Latine tongue, and therfor it is thoght neceffar for fick as enters in the functioun of the Miniftrie, to have vnderftanding and knowledge of the fame : Therfor the Generall Affemblic of the Kirk hes votit and concludit, That, fra this tyme foorth, nane falbe admittit to the functioun of a Minifter within the Kirk, be the Bifchops, Superintendents and Commiffioners of countreyis, but fick as hes vnderftanding in the Latine tongue, and are able to interpret the Comentares wrytin in the fame language, and fpeake congruous Latine, except fick as be examination of the Generall Affemblic of the Kirk, for thair fingular graces and gifts of God, falbe found able be them to vfe thair functioun without knowledge of the Latine tongue.

[Seing not only it becomes the true Mefengers of the Word of Salvation to bear in their confcience a good testimony of unfained humility and fimply of their hearts, but alfo in externall habit and behaviour to represent the sobriety and humility of their minds, that the mouths of the godlefs generation which are opened to blafpheme the godly calling of the Miniftry, may be fhut up from juft accusation and flandering of the fame ; therefore, be determination of the whole Affembly, it is statut and ordained, That all that ferve within the Kirk apparell themselves in a comely and decent cloathing, as becometh the gravity of their vocation, and that they conforme their wives and families thereto, that no flander nor offence arife to the Kirk of God therethrough. And to the effect it may be notified to the whole brethren, what ought to be efchewed in apparrell, the Affembly hath injoynd the loved brethren, John Arefkine of Dun, Superintendent of Angus and Mernes, Mr Andrew Hay, Commiffioner of Ranfrew, &c., Mr James Lowfon, Minifter of Edenburgh, Mr John Winram, Superintendent of Fife, Mr George Hay, Commiffioner of Aberdeen, to advife thereupon the morne at fix hours in the morning.

Forfamikle as it is confidered, that the playing of Clerk playes, comedies or tragedies upon the Canonical parts of the Scripture, induceth and bringeth with it a contempt and profanation of the fame ; therefore C.] It is thoght meit and concludit, That no Clerk playes, comedies or

tragedies be made of the Canonick Scripture, alswell new as old, neither on the Sabbath day nor worke-day, in tyme comeing; the contraveiners heirof, (if they be Minifters) to be fecludit fra thair functioun, and, if they be vthers, to be punifchit be the difcipline of the Kirk: and ordaines ane article to be given in to fick as fitts vpon the policie, that, for vther playes, comedies, tragedies, and vthers profane playes as are not made vpon authentick partes of the Scripture, may be confiderit befor they be proponit publicklye, and that they be not playit vpon the Sabbath dayes.

Sessio 8^a

Anent Minifters proceeding to the mariage of parties, lafull impediment being proponed vnto them, quhilk afterhind is tryit and found to be of veritie: The haill Affembly referris the difcipline to be vfit agains fick perfons, to the Bifchops, Superintendents and Commiffioners of the countreyes quher they ferve.

[Anent the report of the Bifhop of Murrey his purgation for the slander of fornication, as well before his inauguration as fenfyne, and ficklike of his doctrine: The Superintendent of Fife, one of the brethren appointed to that effect, reported, That the faid Bifhop was content to purge himself before the faid Superintendent and Kirk of Sanct Andrews, if it be not found in the books, that he had not purged himself of before, and fince his inauguration; and becaufe he is under medicine and fickly, and cannot prefently give fpecimen of his doctrine, defired a delay. The Affembly as of before, ordaineth the fame Commiffioners appointed as of before, to pafs to the faid Bifhop the morne, and to report his purgation upon the firft head of the slander of fornication before his inauguration, and to conferr with him in his doctrine according to the ordinance preceeding.

Anent the fupplication given in to the Generall Affembly be Mr Thomas M'Kalgean of Crichtonhall, one of the number of our Sovereign Lords Colledge of Justice, making mention, that where upon his late fupplication prefented in their laft Generall Affembly, touching his not admitting to the holy Sacrament of the Supper, they, be their act and ordinance, ordained Mr Robert Pont, Provest of the Trinity Colledge, the Minifters of Leith and Cannongate with the Kirk of Edenburgh, to take triell, if his remaining in Edenburgh a certain time of the late

troubles was be compulsion, &c. ; and if it was so found, to mitigate their aēt, &c. : For taking of the which triell he hath infisted often times, and they conveening together have putt no end thereto, but for some good consideration, as he supposes, hath remitted the cause unto their Wifdoms : wherefore most humbly beseeeking them, since his remaining within this town is notoriously knowen to have proceeded from compulsion, just fear and dreadour, that they would take such order, as he may be admitted to the next communion which is to be celebrate in this town. The said Mr Thomas being personally present, and the Commissioners appointed in the last Assembly for taking triell, If the said Mr Thomas remained in the town of Edenburgh for just fear and dreadour, which might fall in a most constant man, compearing be Mr James Lowson, Minister of Edenburgh, and their proceses being read and considered in open Assembly, the said Mr James, in name of the Kirk of Edenburgh, being required, Why the said Kirk admitted not the said Mr Thomas to the communion, answered, For two causes ; first, Because the Kirk of Edenburgh received none that remained within the town in time of rebellion, without first compearing before them, and submission of them to the Kirk ; and secondly, That he was ane elder and bare office within the said town. The Assembly notwithstanding having considered the qualification of the said Mr Thomas just fear remaining within the said town, voted and concluded the said Mr Thomas oath to be taken, If upon just fear he remained within the said town, and bare office, as said is ; who being called on, and re-entring, declared in his conscience, That he remained, as said is, within the said town, and bare office therein, for most just fear and dreadour, which might fall in a constant man : Therefore the said Assembly taking consideration of the said Mr Thomas declaration, as said is, ordains the Kirk of Edenburgh to admitt the said Mr Thomas to the next communion and participation of the Sacrament to be celebrate within this town ; the said Mr Thomas appearing before the pulpit of Edenburgh in his own gown, and making repentance for his said offence in the face of the congregation ; and thereafter giving to the poor the gown, wherein he maketh the said satisfaction, or else the price thereof.

For reading and answering the bills : The brethren appoint Mr Patrick Adamson, Minister of Pasley, John Brand, Mr James Melvill, Mr Robert Montgomery, to convene the morne at six hours, and so to continue till the famine be answered. C.]

Sessio 9^a.

Anent the difficultie proponit vpon the presentatioun of Mr Andro Grahame, presenting him to the Bischoprick of Dunblane, vnder the name of ane preacher, although he had bein none: The Kirk finds that finall conclusion is not yet had, That all Bischops sould be first preachers, and alwayes, if he be qualified, the presentation to be obeyit; and yet, for farther tryall, appoints him to exercise vpon Wednesday nixt in the Magdalene Chappell before the Bischops, Superintendents and Ministers that may be present, and speciallie the Minister of Edenburgh, and so many of the Chapter as may be ther, at ten houres afternoone, vpon the beginning of Romans 5.

[Because it is generally complained be the brethren, that the Acts of the Assembly concerning uniuersally the whole Kirk, as also sundry questions coming in dayly use in particular Assemblies, and resolved in the Generall Assemblies of before, are not come to their knowledge, which were most necessar to be known and notified to the whole brethren, that none should pretend ignorance thereof: For remeed hereof, C.] The Assemblie hes willit thair lovit brether, Mr Robert Maitland, Deane of Aberdeine, Robert Pont, Provest of the Trinitie Colledge, Johne Brand, James Carmichaell, [Minister of Hadington,] to take travell in visiteing and perusing of the saids acts; and sikk as are generall with the Generall Assemblies, to marke and note the samein, that thereafter they may be drawin and extractit out of the bookes, that all pretext of ignorance may be tane away.

[Anent the policy and iurisdiction of the Kirk: The Generall Assembly of the Kirk ordains the brethren that hath travelled and written in this argument, to meet the morne at seven hours in Mr James Lowson his chamber, and to conferr their labours and writing, to be presented thereafter to the whole Assembly.

The Generall Assembly of the Kirk nominateth any two of their brethren after specified, whom it shall please my Lord Regents Grace to accept, to wit, Mr Robert Pont, Provest of the Trinity Colledge, Mr Andrew Hay, Commissioner of Cliddisdail, Mr Patrick Adamstone, Minister of Pasley, Mr John Row, Minister at Sanct Johnston, John Duncanfon, Minister of the Kings house, Mr Andrew Melvill, Principall of the Pedagogie

of Glasgow, in the place of Mr Alexander Arbuthnet, Principall of the Colledge of Aberdeen, and Mr John Spotfwood, Superintendent of Lothian, to concurr and reason with my Lord Regents Grace his Commissioners upon the jurisdiction and policy of the Kirk, at such time as they shall convene; and what beis condescended to be his Grace, ordains them to remain and await thereupon, as they will answer upon their obedience to the Kirk: and after that the said conference is ended, the said Commissioners to bring the copies thereof with them in all provinces, to be shouen to the Ministers of the same, to the effect they may be the better resolved, when matters shall come to open reasoning.

Sessio 10^a

Anent the ordinance given to Mr John Winrame, Superintendent of Fife and his colleagues, to take the purgation of the Bishop of Murrey concerning the slander of fornication, conform to the acts of the Assembly made of before, and to conferr and reason with him upon the heads of religion: The Assembly as of before appointed the said Bishop being present, the morne to make his purgation of the said slander to the Superintendent of Fife and his colleagues depute be them before thereto, and ordaineth them to report their opinion of his knowledge in the Scriptures to the rest of the brethren, with his purgation, the same day.

Sessio 11^a

According to the ordinance and appointment of the Generall Assembly, for tryall of the doctrine and ability of Mr Alexander Hepburn, elect of Rosse, the said Mr Alexander, in assembly of the greatest part of the brethren, exercised upon the last part of the thrid chapter of Zechary, as was enjoined to him be the Assembly; and after removing out of the Assembly, the brethren with one consent approved the said exercise and doctrine, and praised God for the same.

The Assembly ordaineth ane article to be given in to them that reason upon the policy and jurisdiction of the Kirk, that a law be made, That no Bishop be elected to a Bishoprick be the Chapter, before he give proof of

his doctrine before the Generall Assembly, and triell be taken be them of his doctrine, life and conversation: And, in the mean time, the said Assembly discharges and inhibites all Chapters, that they proceed not to the election of any Bishop, as said is, without triell taken before of his doctrine and conversation before them; and thereafter he report his testimoniall of the said Assembly to the Chapter, that thereafter they may proceed to his election.

Forfamikle as it is complained be diverse within the Kirk, that such as were Papists, and have since the Act of Parliament made confession of their faith, have notwithstanding as yet no ways participate of the holy Supper of the Lord, pretexting vain excuses, wherethrough it appeareth that they were never in heart truly converted to God: Therefore C.] It is statute and ordainit, That the Bishops, Superintendents and Ministers in all parts, admonish such as were papists, and hes sen the Act of Parliament made confession of thair faith, and notwithstanding hes no wayes, get participate the holy Supper of the Lord, to participate the Sacrament with the rest of the congregation; and if they disobey, to be haldin as relapse, and to proceed aganis them as relapse with the sentence of excommunication.

[The brethren having consideration that their brother Mr John Spotswood, Superintendent in Lothian, is become sickly and not altogether able, in his own person, presently to visit the whole bounds allotted to him in Commission; and understanding that their brother Mr James Lowson, Minister of Edinburgh, is purposed to pass through the Countrie and visit the said bounds, hath thought meet and ordained the said Mr James to support and aid the said Mr John in his office of visitation, and to make such supplie to him therein as he goodly may to the next Assembly.

Alexander Arbuthnet, burgess of Edinburgh, presented to the Assembly certain Articles for printing of the English Bible, quherof, with the answers of the brethren, the tenor followeth.

The Articles given in to the General Assembly concerning the Printing of the Bible, with the answers of the Kirk thereto.

Imprimis, Anent the godly proposition made to the Bishops, Superintendents, Visitors and Commissioners in this General Assembly be Alex-

ander Arbutnet, Merchant burges of Edinburgh, and Thomas Bassanden, Printer and burges of the said burgh, for printing and setting forward of the Bible in the English tongue, conform to the Proof given and subscribed with their hands: It is agreed betwixt this present Assembly and the said Alexander and Thomas, That every Bible which they shall receive advancement for, shall be sold in albis for four pound thirten shilling 4 pennies scotts, keeping the volum and character of the saids Proofs delivered to the Clerk of the Assembly.

Item, For advancement of the godly and necessary work and furtherance thereof, and home bringing of men and other provisions for the same: The Bishops, Superintendents and Commissioners bearing charge within this realm, underwritten, viz. James Archbishop of Glasgow, Moderator, &c., have in presence of the said Assembly faithfully bound and obliged them and every one of them, That they shall travell and do their utter and exact diligence for purchasing of such advancement as may be had and obtained within every one of their jurisdictions, at the hands of the Lords, Barrons and Gentlemen of every paroch; as also with the whole Burrows within the same; and shall try how many of them will be content to buy one of the saids volumes, and will advance voluntarily the foresaid price, whole, or half at the least, in part of payment, and the rest at the receipt of their books; and shall try what every burgh will contribute to the said work; to be recompensed again in the books in the prices foresaid; and so many as be content to the advancement of the work foresaid, that the said Bishops, Superintendents and Visitors collect the saids summs and inroll the samen with their names what every one of them gives; which roll subscribed with their hands, and money, shall be sent be them to the said Alexander and Thomas, betwixt and the last of Aprile nixt to come, and shall receive upon their deliverance of the saids summs and rolls the said Alexander and Thomass handwritt; to the effect they and their cautioners may be charged for the said books, conform to their receipt.

Item, That every person that is provided of old as well as of new, be compelled to buy a bible to their paroch kirk, and to advance therefore the price foresaid, and the said prices to be collected and inbrought be said Bishops, Superintendents and Visitors within each bounds and shire within their jurisdiction, betwixt and the last day of June; and because the said act appertains and is expedient to be ratified be my Lord Regents

Grace and the Lords of the Secret Council, and an act of Council to be made thereupon: The Assembly ordains Mr David Lindfay, Minister of Leith, Mr James Lowson, Minister of Edinburgh, and Alexander Hay, Clerk of Council, to travell with his Grace and Lordships for obtaining the famine, together with the priviledge of the said Alexander and Thomas for imprinting of the said work. The Kirk ordains the said Mr James and Mr David to travell with Mr Andrew Polwart and Mr George Young, or any of them, for correcting of the said Bible, and to appoint a reasonable gratitude therefore at the cost of the said Alexander and Thomas.

Item, The Kirk hath promised to deliver the authentick copy, which they shall follow, to them betwixt and the last day of Aprile.

Item, For reforming of the said work be the said Alexander and Thomas; they have found cautioners, Archibald Seingeur and James Norvell burgeses of Edenburgh, with themselves conjunctly and severally, that they shall deliver as many books as they shall deliver advancement for perfecting of the said work, which shall be, God willing, betwixt and the last of March the year of God 1576 years; and the said Alexander and Thomas are bound and obliged to releive them. Sic subscribitur Alexander Arbuthnet with my hand, Archibald Seingour, James Norvell with my hand, Thomas Baffanden with my hand.

Answer of the Generall Assembly to the saids Articles in their order.

To the first article, answered, Referrres the processe to the Counsell.

To the second, The Kirk promises faithfully.

The Kirk gives Commiffion to the persons following, to wit, to Mr Robert Pont, Mr James Lowson, Mr David Lindfay, Mr James Carmichell, Mr Andrew Polwart, Mr Peter Young, or any three of them, to oversee every book before it be printed, and lykways to oversee the labours of others that have travelled therein, to be given in to the printing betwixt and the last of Aprile.

Forfamikle as there is expectation had of a Parliament to be shortly, whereunto sundry things are to be proponed be the Kirk, which of before would be ripely resolved be common judgement and opinion of the whole

brethren : C.] It is thought meitt [and expedient be uniform resolution of] the haill brether, That the ministers of Edinburgh and Leith give warning and advertisement to the Bishops, Superintendents and Commissioners of Countreys, aught dayes before the Parliament, to the effect that they may warne the rest of their brethren to be present, to consult and put in deliberation sick things as falbe thoght, after good advyse, to be proponit to Parliament : which Convention falbe comptit for ane Assemblie.

A. D. M.D.LXXV.

THE Generall Affembly haldin and begun the 6 day of August 1575, in the Ovir Tolbuith of Edenburgh: Wher ther was present the Bifchops of Galloway, Dunkeld, Brechine, Dumblane, Glasgow, and the Bifchop of the Yles, Superintendents of Angus and Lowthiane, Commiffioners of Countreyes and Townes, with the Minifters. Mr Robert Pont, [Proveft of Trinity Colledge] Moderatour.

Seffio 1^a

According to the ordour and custome of the Affembly, it was proceedit to the examination and tryall of the lyves, conversatioun and doctrine of Bifchops, Superintendents and Commiffioners of Provinces.

[The Bifchop of Glasgow was exhorted to be diligent in preaching which was neglected be him. C.] Johne Durie, ane of the Minifters of Edinburgh; protests that the tryall as Bifchop prejudice not the opiniouns and reafons, quhilks he and vther brether of his mynd hes to oppone agains the said office and name of a Bifchop.

[The Bifhop of Dunkeld removed, was delated, That he dwelt not within his diocefe; That there is no exercife observed there; That he wrote a letter to George Lundie, Minifter of Crammond, to ferve equally four kirks every Sunday about, under the pain of deprivation; That the ordinance concerning the Earle of Athole is not kept; That he had delapidat the patrimony of the benefice. Reentering, he answered, He made little refidence in any one place, as may appear be his book of

visitation, and was oftener in Dunkeld, since the last Assembly, than in any other place. 2d, That the exercise is holden in Perth, and that his Ministers goe thither. To the 3d he answered, That a part of the benefice he had sett in few to the possessors of the ground, without diminution of the rental. Being inquired, if he had sett any victuall for silver, which before was not sett for money, answered, He sett none in Lothian for money; but within the bounds of Dunkeld he had sett victual for silver, viz. a nineteen year tack of 36 chalder of teind victuall for 5s. 8d. the boll to the Earle of Argile. To the 4th, produced two of my Lord Athols bills, but granted he had not excommunicat him. C.]

The Generall Assemblie ordaines the Bisshop of Dunkeld, betwixt and nixt Assemblie, to resort himselve with his familie to Dunkeld, and make residence ther, vnder the paine of excommunication.

The brethren in ane voyce finds great fault with the dilapidatioun of his benefice; and ordaines the acts of the Assemblie to be visit and to be confidderit, if ther be any penaltie appointit for the said dilapidatioun, betwixt and the sext day of this instant, and continues thair farder determination thervpon to the said day.

[The pretended excuse in not excommunicating of the Erle of Athol, is rejected as frivolous, and the Assembly decernes, That, for not obedience to the ordinance of the Assembly, he hath incurred the pains contained in the act and ordinance made thereupon.

The Superintendent of Angus and Mernes was complained upon, That he admitted ane Mr Robert Merfer, Minister at Banquhar ternitie, unable to discharge his cure: Answered, The said Mr Robert was admitted with the advice of his brethren of Aberdeen, and was tryed be them. The Assembly ordaineth the Principal of Aberdeen with John Craig, Minister there, to take tryall of his doctrine and literature.

The Commissioner of Aberdeen complained upon, That the Readers and Ministers in the countrey keep certain patron and festival dayes, and on these dayes conveen, pray and preach, and foster the people in superstition. Item, That there is no discipline kepted within the diocese. To the first he answered, That some Ministers of the countrie think it lawfull, but for his own opinion he wished it should be taken away by an ordinance of the Assembly: As for the 2d, refers him to his books.

Mr Robert Grahame, Commissioner of Cathness complained upon, That he had not been diligent in his visitation; That he hath moe offices nor

he may discharge. Item, there is a marriage made betwixt the Erle of Caithness daughter and the Laird of Innies, she being divorced for adultery from her husband, and, that he gave command thereto. To the first he answered, That he was compelled to come there four tymes in the year, and grants that he was in Caithness but once: That he is denuded of the Commissionarie, and has no commission for Rosse, albeit he support the countrie this year. As to the marriage, Grants he gave to her such liberty as the Kirk gives to others; and that she has made her repentance bareheaded and barefooted. The brethren discharge him of his commission, and ordaineth, That he be not admitted again till farther advisement.

Sessio 2^a

The Assembly appointed some brethren to reason with the Bishop of Dunkell and such others as he will joine to him, anent the dilapidation of his benefice, and to see why the said dilapidation is not cause of deprivation. Afternoon C.] The Bishop of Dunkeld compeirand in the Assembly, desyrit that he might have Mr Johne Grahame, Advocate, to reason for him in a matter of dilapidation; quhilk beand thought a new thing, and by custome of the Assembly, was finallie votit and concludit to be ane novatioun and to introduce some contradicition; and fand him not to be admittit nor nane vthers quho are not of the function of the Kirk; and therfor ordaines him to answere in his awin person, the 9 of this instant, or to choose any of the brether of the function of the Kirk to reason for him.

[Mr Thomas Howeson produced an act of the Synodall Assembly of Murrey, bearing that there was no question moved at the Bishop of Murrey his election, and what purgation he would make of the slanderous bruit raised upon him and the Lady of Ardross; and farther excused the said Bishop his absence, because he was slandered, in the last Assembly, by Mr Walter Balcanqual, as fornicator with the Lady Ardross. The Assembly judgeth the excuse frivolous. C.]

Because certaine of the Bishops and Superintendents compeirit not the first day of this Assembly, it was thought good to call them, and the absents to be notit.

[The Superintendent of Fife complained upon, C.] That none of the Vniverfitie of Sanct Androes is present, nor nane to come heir ; [That the Kirk of Ryne hath no Readers, by reason of a controverfie among the Readers ; That the exercife is taken away fra Sanct Leonards to the parish kirk, and yet neither preaching nor exercife kepted that day. To the first he answered, That it is not his duty to name Commiffioners for the Univerfity, but it belonged to themselves ; and that they had nominat Mr Robert Hammilton their Minifter : To the 2d, That the matter being remitted to him, he found no ground, and has remitted the fame to the Affembly ; quherin they have decerned the poffeffor to remain at the faid kirk ; and fincefyne the parifhoners agreed to another thrid perfon : To the 3d, That there was an order fet down for the exercife, and a roll of the exercifers written ; and not the lefs no exercife has been kepted fince Pafche by paff a year ; whereof he desired the brethren to provyde some remedy. The Affembly ordained the exercife to be reftored again to Saint Leonards Colledge, and the Fryday preaching to be kepted ; but yet Mr Robert Hammilton to be heard, when he comes to the Affembly. Sicklyke the Affembly ordaines the faid Superintendent to place the faid John Pitcarne in place of the Reader, and to give him his letters of concurrence, fuch as were given be the unquhill Bifhop of Sanct Andrews, conforme to their decret.

Mr Peter Watfon, Commiffioner of Nithfdale complained, That the Toun of Dumfries, on Juile day laft by paff, feeing that neither he nor the Reader would read nor ufe doctrine upon thefe dayes, brought a Reader of their own with tabron and whille, and caused him read the prayers ; which exercife they used all the days of Juile. This complaint the brethren thought good should be intimat to my Lord Regents Grace, that he may find remeed herein.

The faid day, Alexander Bifhop of Galloway prefented to the Affembly the tenor of his fatiffaction, decerned to be performed be him, and decret of the brethren, and desired to know, if he had fatiffied the sentence prefented be them : Which they found fatiffied and fulfilled in all points, according to the contents thereof.

Anent the apperraling of the Miniftry omitted in the laft Affembly : The Affembly appoints their loving brethren, to whom commiffion was given of before, to conveen the morne, at 7 hours, in Mr James Lowfon, Minifter of Edenburgh his houfe, to pen fuch apparrelling as is to be

eshewed be them, conform to the act of the last Assembly, and to report the sament to the brethren the morne. C.]

Sessio 3^a.

The brether appointit to pen their judgement anent the habite of the Ministers and their Wyfes, presentit the same to the Assemblie, quhilk was found good; and all the brether serving the functioun of the Kirk, ordaynes to conforme themselves and their wyves therto, and ordainit effectuouslie to follow the same: Quherof the tenor followes in their wordes.

Forfameikle as a comely and decent apparrell is requisite in all, namelie in the Ministers and sicker as beares functioun in the Kirk: First, we thinke all kynd of brodering vnseimlie, all bagaries of velvett on gownes, hoses or coat, and all superfluous and vaine cutting out, steiking with silks; all kynd of costlie sewing on paments, or sumptuous or large steiking with silks, all kynd of costlie sewing or variant hews in farkes, all kynd of light and variant hews in cloathing, as red, blew, zeallow, and sicklyke, quhilk declares the lightnes of the mynd; all wearing of rings, bracelets, buttons of silver, gold or vther mettall; all kynd of superfluitie of cloath in makeing of hose; all vsing of plaids in the kirk be Reidars or Ministers, namelie in tyme of their ministrie and vsing their office; all kynd of gowning, coating, or doubliting, or breiches of velvett, satine, taffettie, or sicklyke; all costlie gilting of whingers and knyves, or sicklyke; all silk hatts, or hatts of divers and light collours: Bot that their haill habite be of grave collour, as black, rufflet, sad gray, sad browne, or searges, wirfflett chamlet, growgrame lytes wirfflett, or sicklyke: and to be short, that the good word of God be them and their immoderatenes be not slanderit; and their wives to be subiect to the same ordour.

[Anent the terme appointed to the Bishop of Dunkell to reafone in his own cause be himself or some of the brethren of the function of the Ministry, concerning the dilapidation of the benefice: The said Bishop being present, declared he had sought assistance of some of the brethren of the Ministry, and could have none; and therefore desired the Articles of his accusation to be given him, and a delay to the next Assembly, that he and some brethren may be advised therewith for their answer; and to

that effect produced his supplication in writt. The Assembly found that no further delay should be given, but till Thursday next to come; and appointed the Bishop of Glasgow, Mr George Hay, Mr John Row, Minister of Perth, to give their advice to him, and to reasone for him the said day.

The same day, James Nicolson, Collector Clerk, exhibited to the Assembly a roll of the Ministers that had wasted the patrimony of their benefices, and made no residence at their kirk: whereof the particular catalogue followeth. John Webster alias Watson, Parson of Camusbie, hath dilapidat his benefice; Alexander Urchart, Parson of Olrick, has dilapidat his benefice, and waiteth not on his charge; George Sinklar, Chancellor of Cathnes, waites not on his cure; Gilbert Gray, chanter of Cathnes, and Mr George Monro, waite not on their cure; Mr John Gordon, Minister of Speinie and Keith, Mr Patrick Dowglafs, Treasurer of Murrey, Mr Alexander Gordon, Chancellor, await not on their cure; Andrew Spence, Minister at Forg, Drimblait and Colfamand cannot await on his cure, because he occupyeth an fervile office in my Lord Forbefs house of Drum-mynoure, far distant from his charge; Mr John Barton, Minister of Clunnie Kilmavenock, Mr James Hering, Provest of Methven, Mr George Ramsay, Minister of Fouldon and Chirneside, Mr William M'Gawin, Commiffar of Wigton, Person of Minto in Tiviotdale, William Bonkle, Vicar of Hadinton, Robert Dowglafs of Mordingtoun, James Stewart, Parson of Glenwhinie, James Stirling, who sold the Parsonage of Carstairs, Waltar Haddon, a new Person, awaite not upon their cure; John Kin-naird, Vicar of Carstairs, awaiteth not on his cure, and hath slain the Laird of Corfton; Mr John Colvill, Chanter of Glasgow, and Minister of Kilbryd, Mr Patrick Adamson and Mr Andrew Polwart, Ministers of Pailley, Mr William Chirnside, Parson of Lufs, wait not on their cure; Mr John Rynd, Parson and Vicar of Cumnock, has fett the same for fourty pound; Mr Archibald Sinclair, Parson of Zuddick, James Preston, Parson of Daylie, Mr John Walker, Minister of Monigafe, await not on their cure. The which persons being called, The said George Monroe, Mr James Herring, and Mr Patrick Dowglafs compeared. The Assembly appointed the eleventh of this instant for them to answer, and to take order with the absents. C.]

It appeirit to some of the brether that the lang continuance of Com-missioners in thair offices, fould induce some ambition and inconyeniencie

within the Kirk ; and therfor was thocht a matter to be consultit in this Affemblie, Whither it were best that the Commissioners of Provinces should be changit, fra geir to geir, fra the countreyes quher they travell to vthers. After long reasoning, the greatest part of the Affemblie thocht best, quher men may be had abill to vse the Commissioun, that ane geirly exchange should be. [And for the present transports Mr George Hay from Aberdeen to Cathness, and in his room placeth Mr John Craig, Minister of Edinburgh : And sicklyke appoints Mr David Lindsay to support the visitation of Murrey, and consider the Bishops diligence, with the complaints of the Ministers of the countrie against him, during his residence there : And sicklyke, Mr John Row to visit the bounds there appertaining to the Bishop of Dunkelds jurisdiction, upon the Bishops expens : And sicklyk continueth the Superintendents of Fife and Lothian in their offices respectivé. Mr Andrew Hay, Commissioner of Renfrew, desired to be exonered of his Commission, but is exhorted to continue in his charge till the next Assembly : Mr Peter Watson continued Commissioner of Nithisdale, and Mr Andrew Clayhills, Commissioner of Tiviotdaill. Sicklyke the Assembly continues Mr John Duncanson, Minister of the Kings house in his Commission of Galloway till the next Assembly, and exhorts the Bishop of Galloway to assist him, when he comes in the Countrie.

For visitation of the Books : The Affemblie appointed their lovit brethren, William Christeson, Minister of Dundie, Mr Gilbert Gardin, Mr James Greg, Mr Roger Gordon, John Fullerton, Minister of Sankuhar, Mr Andrew Mylne, George Scott, Mr Thomas Biger, Mr James Carmichall, Minister at Hadinton, to convene at 7 hours the morne, in the Upper Tolbuith, and to continue till the same be perused.

For reading and answering of bills and complaints : The brethren appoint Mr David Lindsay, Minister at Leith, David Ferguson, Minister of Dunfermline, John Duncanson, Minister of the Kings house, Mr Andrew Melvill, Principal of the Pedagogie of Glasgow, Mr Alexander Arbuthnet, Principal of the Colledge of Aberdeen, and Mr Walter Balcanqual, one of the Ministers of Edinburgh, to meet at two afternoon, in the Over Tolbuith, and so forth to continue till the same be answered and resolved.]

Ordaines Mr James Lowfone, James Bishop of Glasgow, Mr Andro Hay with Alexander Hay, Clerk of Privie Counsell, to conceive ane

article in wryte, concerning the vnioun of paroch kirks, to be presentit the morne to the brether to be confiderit be them.

Sessio 4^a

[The General Assembly of the Kirk enjoyed their beloved brethren, Mr David Lindsay, Minister at Leith, Mr John Row, Minister at Perth, and Mr Andrew Hay, Commissioner of Ranfrew, to form and pen the Articles to be presented to my Lord Regents Grace in writt, with such possible diligence as they goodly may, and hereafter to produce them to the whole brethren to be considered, if the same shall be found good to be directed to his Grace: who being deposed from the Assembly, returning again, presented the said Articles to the said brethren; which being read were found worthie and expedient to be presented to my Lord Regents Grace: always if any other articles shall be thought good be the brethren to be eeked hereto, they are desired to exhibit the same, afternoon.

The General Assemblie of the Kirk all in one voice giveth commission and power to the right honourable and their loved brethren, James Bishop of Glasgow, John Areskin of Dun, Superintendent of Angus and Merns, Mr John Spotswood, Superintendent of Lothian, Mr John Row, Minister of Perth, and Mr David Lindsay, Minister of Leith, to pass to my Lord Regents Grace, and present unto his Grace the articles of the said Assembly, contained in writt and delivered to them, and, with all humility and dew deference, to require his Graces good answer thereto, conferr and reason with his Graces answer thereupon, and to report his Graces answer to the said articles, against the 12th day of this instant before the dissolution of this Assembly.

Followeth the tenor of the said C.] Articles to be presentit to my Lord Regents Grace.

Imprimis, For planting and preaching the word through the haill realme: It is defyrit, That so many Ministers as may be had, quhilks as yet are vnplaced, may be receivit, asweill in the countrey, to relieve the charge of them that hes many kirks, as vtherwayes throuhout the haill realme; with Superintendents or Commissioners within these bounds quher Bishops

not, and to help these Bischops that hes ovir great charge, and reasonable livings to be appointit to the forsaids; and also payment to them that hes travellit befor as Commissioners in the geirs of God 1573, 1574, and so fourth in time coming, without the quhilk the travells of sick men will cease.

2. That sick impediments be removit away as makes hinderance to the progresse of the doctrine, sick as abundance of vice in all parts of this realme vnpunishit, marketts vpon the Sabboth day, and Ministers troublit in the executioun of thair office.

3. That the ordour already tane toward the poore may be put in full executioun: And to that effect, that a portion of the teinds quhilk is thair awin patrimonie, asweill of the twa part as of the thrids, may be imployit for thair sustentatioun, according as necessity craves; and to this effect, that the Hospitalls quhilk hes bein of auld, may be restorit to thair awin vse, notwithstanding of any title made therof to vther persons; and also that sick ordinar almes as hes bein appointit fourth of Abbayis or vther benefices, be long consuetude, may be payit to the poore as of befor.

4. Because the Schooles are the fountaine fra the quhilk Ministers must flow, That provision be made for them, not only for sick as remaines within the realme, but also for men of good ingyne, quhilk be the Kirk fould be found [meet] to visite other countreyes and Vniversities for thair furtherance in learning; and cheiflie for Glasgou, because it is new erectit, and hes not sick provision as vther Vniversities.

5. That sick assignatiouns as hes bein appointit be the Prince and the Kirk, and alterit without the advyse of the Kirk, may be repairit; and that, in tymes coming, sick assignatiouns as falbe appoyntit, be not alterit without the advyse of the Kirk, vtherwayes no Minister falbe sure of his assignatioun.

6. Quher Ministers produces letters of horning to the General Collec-tour, vpon sick persons as are assignit to them for payment, the said collec-tour may be caufit to make payment to the saids Ministers.

7. That all dayes that heirtofoir hes bein keipit holie, besydes the Sabboth day, sick as Zoole day, Saincts dayes, and sick vthers, may be abolischt; and a civill penaltie against the keepers therof be ceremonies, banquetting, playing, fasting, and sick vther vanities.

8. That all sick Ministers or Reiders as, either be infirmitie or age, becomes vnable, may have thair stipends indureing thair lyfetymes.

9. That the Clerk of Assembly be ansuerit of the ordinarie stipend appointit to the Clerk of befor, namelie, in respect of his labours multiplied be wryting of the hail Ministers and reidars letters, asweill for ansuering them of thair stipend as of thair gleibs and manfes, gratis; and that his name may be insert in the booke of assignatioun, with his stipend, as vse was; and sicklyke be ansuerit of the zeir bypast that he hes servit.

Anent the question proponit be certaine brether of the Assembly of the hail Kirk, Whither if the Bischops, as they are now in the Kirk of Scotland, hes thair function of the word of God or not, or if the Chapter appointit for creating of them aucht to be tollerated in this reformed Kirk: For better resolution heirof, the Generall Assembly of the Kirk appoints thair lovit brether, Mr Johne Craig, [Minister of Aberdeen] Mr James Lowfone, [Minister of Edenburgh] and Mr Andrew Melvill, Principall of the Colledge of Glasgou, on that ane part; George Hay, [Commissioner of Cathness] David Lindesay, [Minister of Leith,] Johne Row, [Minister of Perth,] on that vther part, to conveine, reason and conferre vpon the said questioun, and to report thair judgement and opinioun thervpon to the Assembly befor the dissolving therof, if they be resolvit betuixt and the same.

Sessio 5^a.

[Anent the term appointed to the Bishop of Dunkeld, to reason in his own cause concerning the dilapidation of his benefice, and to propound what defence he had therein, why the samen merits not deprivation: The said Bishop compearing in Assembly declared, That the setting of the tack of the 36 chalder victual for six shilling 8 pennies the boll (confessed be him before) to the Earle of Argyle, was not voluntarily, and that divers tymes it repented him thereof; and yet, be the grace of God, is willing to have it reformed, either be favour and good will of my Lord Argyle, or be process of Law, wherein my Lord Regents Grace had promised to him his assistance, as my Lord Justice Clerk being present could testify his Lordships good will therein; who lykeways, be a writing of his Grace direct to him, declared, he minded to travell with the Erle of Argyle, that it

may be reformed, and desired my Lord Regents Graces requiest, That all farther processe against the said Bishop should be intermitted, till the next Assembly. The Generall Assembly willing to satisfie my Lord Regents Graces suit and requiest, and looking, that be his Graces travell and diligence, and procurement of the said Bishop to be tane be him in this intermediat tyme, that matters shall take better fruit, and be reformed, hath continued and continues the said cause in the same force and effect as it is now, to the first day of their next Assembly; and the said Bishop is warned thereto.

Because of sundry acts and conclusions holden in the Assembly, for excommunication of the Erle of Athole, which notheless have not been put in execution, for which cause the Bishop of Dunkeld is presently suspended from his office: Therefore the Generall Assembly hath ordained a writting to be direct in their names to his Lordship and his Lady, requiring them, if they sute conference or reasoning of any of the brethren, to choise three or four, with Mr John Row, Commisioner, appointed in these parts, whose conference and counsell they may have, and whom the saids brethren commands to give their consultation to them, that they may be resolved in the points of religion, betwixt this and Martimafs next to come; and their meeting to be in Dunkeld and Saint Johnstoun: Which conference being had, and they not resolved, as said is, betwixt and the said day, Ordaines the said persons with the said Mr John, to pronounce the sentence of excommunication against them: and if they refuse the said conference, ordaines the said Mr John Row, with assistance of the Superintendent of Angus and Mernes, the Superintendent of Fife, William Christeson, Minister of Dundie and Tibbermuir, to pronounce against them the sentence of excommunication within Dunkeld: and if they be stopped, or troubled there, that they may not pronounce the same, to execute and pronounce the same in Sanct Johnstoun. C.]

Ordaines ane article to be made to the Lords of the Sessioun for Ministers and Reidars, that they may have expedition of thair processe perfewit befor them, that they be not abstractit from thair charges.

Sessio 6^a

[The Commisioners direct to my Lord Regents Grace with the

Articles of the Assembly, for receiving his answer thereto, reported, His mind was to ride shortly toward the borders; and because some of the articles craved the advice of the Council, which could not presently be had, desired therefore that the Kirk should give commission to some of the brethren to await upon his Grace and Council, and to reason and conferr upon the said articles, and receive answer thereof. The Assembly of the Brethren ordaines the said Commissioners, or so many as shall be present, to wait upon my Lord Regents Grace and Counsell, and to reason and conferr upon the saids articles, and to receive his answer thereof; and if either answer be not received, or that they be not present to receive the same, that they wait thereupon the first day of November next to come.

The brethren delated for not making residence at their kirks, and for wasting and dilapidation of their benefices, appointed to give answer this day, compeared. Mr George Monro his excuse, that he might not travell at his kirk for deadly feed, was accepted. Mr Andrew Young denyed that he served the kirks contained in his roll. Mr Patrick Dowglas granted he made no residence, be reason he had gotten nothing to serve for, and yet gave out a pension to a bearn to hold him at the School; and sicklyke sett the gleeb in few. Mr Andrew Polwart ordained to serve at Paislay, according to his promise made to the Bishop of Glasgow. C.]

The brethren appointit to reason and conferre vpon the function of the Bischops as they are now in this realme, and if thair Chapters appointit for creating of them, be tollerable, and to returne thair judgement to the Assembly, gave in thair opinioun as after followes, in wryte, viz. They thinke it not expedient presentlie to answer directlie to the first questioun; bot if any Bischop be chosen who hes not sick qualities as the Word of God requyres, let him be tryit be the Generall Assembly de novo, and so deposit.

The poyntis quherin they aggrie concerning the office of ane Bischop or ane Superintendent.

First, the name of Bischop is commoun to all them that hes a particular flock over the quhilk he hes a peculiar charge, asweill to preach the word as to minister the sacraments, and to execute the ecclesiasticall discipline with consent of his elders; and this is his cheife function of the Word of God. Attour out of this number may be chosen some to have power

to overſie and viſite ſick reaſonable bounds, beſydes his awin flocke, as the Generall Kirk ſhall appoint; and in theſe bounds to appoint Miniſters, with the conſent of the Miniſters of that province, and the conſent of the flock to quhom they ſhall appoint; and alſo to appoint Elders and Deacons in every principall congregation quher ther is none, with the conſent of the peiple therof; and to ſuſpend Miniſters for reaſonable cauſes, with conſent of the Miniſters forſaids.

[Anent the propoſition of my Lord Galloway to the Aſſembly, deſiring their reſolution, What is meant be them be his ſuſpenſion, Whether he be ſuſpended from all preaching of the Word of God, as from all commiſſion within the Kirk: The Aſſembly of the Kirk declareth, That no fault they will find, that he will preach truly the Word of God, albeit he ſtand ſuſpended from commiſſion of viſitation; always exhorts him to concurre and help the Commiſſioner of Galloway in his viſitation, for keeping good order and diſcipline within theſe bounds. C.]

Queſtio. What puniſhment deſerves that Miniſter that maries perſons reſuſed be thair ordinar Miniſter, and that in reſpect they keipit open houſe together vncontractit, and wald obey no diſcipline; and quher there ordinar Miniſter deſyrit them to obey the diſcipline, they woundit him to the death; vpon the morne the ſaid Miniſter married them, without ſatiſfactioun made to the Kirk for wounding thair Miniſter. A. Referres the puniſhment of this Miniſter to the puniſhment of Mr Patrick Creiche.

[Queſtio. Whether the contract of marriage uſed to be made before the proclamation of banns betwixt man and woman, ſhould be made be words of the preſent tyme, The man ſaying to the woman, I take thee to be my wife, and the woman ſaying to her huſband, I take thee to be my huſband; or ſhould there no contract or promiſe be made while the inſtant time of ſolemnization of the marriage. A. Let the order obſerved within the reformed Kirk of Scotland be kept. C.] Parties to be married ſould come before the Aſſembly, and give in thair names, that thair bands may be proclaimit, and no farther ceremonies vſit.

[Queſtio. Whither if the Kirk, be the law of God, hath power to cognoſce and decern upon herelies, witchcraft, blaſphemation of the name of God, and violation of the Sabbath day, eſpecially upon the quiditie thereof;

or whither if the Criminal Judge shall give sentence of death for such crimes, before the Spiritual Judge decerne upon the quidditie thereof. C.]
 A. The Kirk hes power to discerne and cognosce vpon heresies, blasphemation of Gods name, witchcraft, and violation of the Sabbath day, not prejudgeand the punishment of the civill magistrate.

[Q. When a bearn is gotten in incest, adultery or fornication, and the father is unknown fugitive, or will not recognosce the bearn. to be his, Whither shall this bearn be baptized without delay, or shall the baptisme of it be deferred, till the father be found, and hold up his own bearn to baptisme, and satisfie the Kirk; seeing that the Kirk may lift no pains upon caution for such causes. A. This question would be conceived more distinctly.

Q. A man and a woman were in their parish kirk upon a Sunday, in presence of fundrie of the parishioners, publickly married, or hand fast be the Reader, and thereafter have mutual cohabitation together at bed and board, as married folks so reput and holden: The Minister of the same kirk, at the womans desire, a good space thereafter, leads a forme of divorce betwixt them, in this manner: He calls the woman before him, and causeth her swear that her husband had never carnal copulation with her, and thereupon, without asking farther question at the man, decernes them separat and divorced from other, the man always dissenting thereto, and still claiming her to be his lawfull wife: Whither is this forme of divorcement allowable in a reformed Kirk that hath received the Evangel; and if it be not, What correction deserveth the Minister, that usurpeth and useth this manner of proces and judgment. A. This divorcement is not lawfull, and meriteth suspension, and the Minister to make publick repentance.

Q. If it be expedient, that there be in notable towns and congregations the best learned Ministers, and if there be not, that the same be reformed: That where men of good judgement are in some places, and their labours, as it were, lost, they may be transported to places where they may better edifie; and others of smaller judgement repair to their places where they are interessed, to serve. A. Referrres to the discretion of the Bishops, Superintendents and Commissioners.

Q. What shall the Minister do, who is required to marry a man that has committed adultery in his wives tyme, now his wife is departed, and he hath satisfi'd the Kirk therefore, and desires to be married upon another woman that he had in his wives tyme. A. Ordaines to form this question better.

Q. A woman hath committed incest with her mothers husband, and hath satisfi'd the Kirk therefor; and now the said woman desires to be married to another man, with whom she has committed fornication, What shall the Minister doe in this case. A. Let this be formed better, and this to be moved to the Regent.

Q. Whither an officer of arms is to be admitted to be a reader in the Kirk. A. Thinks it not convenient. C.]

[Q. Whither a zong man, after he hes lyin with a zong woman that is esteimit a virgine, na marriage preceidand, nor promise alledgit be her, be compellit be any particular Kirk, at the sute either of the woman or of the parents, either to marie her, or pay her tocher good. A. There is no law establischt, that the man should either marrie her or pay her tocher good. C. & B.]

Q. Whither if a Bishop absolutely, be his own authority, may change or transport Ministers from kirk to kirk at his pleasure, by their contents, and of the Kirk where they serve, or not. A. He may with advice of his Assembly.

Q. Whither bairnes gottin afoir marriage, the lawfull marriage following, are lawfull, or not. A. They are lawfull. C. & B.]

[Q. Whither if divorcement made by any other Commissars than the Commissars of Edinburgh, (the causes of divorcement being lawfully proven,) be lawfull or not. A. Impertinent. C.]

Q. What punishment salbe for ane Minister that baptizes ane murtherers bairne not of that paroch, on ane Monday not being ane day of preaching, and without repentance of the murtherer remainand at the Kings horne. A. He deserves depositions.

[Q. A certaine man with his complices ravisheth, and violently taketh away a woman ; thereafter marrieth the said woman, without proclamation of bannes, neither solemnizes the marriage in face of the Kirk, but in privat house, Whether is the marriage lawfull ; the bearnes begotten therein legittimat, or not ; and what punishment to the Minister that so abuseth marriage. A. Referres to the answer made before.

Q. Whereas great inconveniences follow upon the refusal of certain Ministers, to administrat the Sacrament of the Lords Supper on Pasche day, such as the profanation of the same by privat persons, in profane houses, If it be lawfull for any Minister to satisfie the peoples appetit thereinto. A. Where the day is superstitiously keepest, it is not thought meet that the Communion be ministred that day. C.]

Q. If it be lawfull for any Minister to dispenfe with the number of dayes appointit for the repentance of incestuous and adulterous persons, in respect that the lyke obedience cannot be obtainit in all places. Na anfuere.

Sessio 7^a

[Anent the supplication given in to the General Assembly be Alexander Arbuthnet, making mention, that where it is not unknown to your Wifdoms, what great work and charge I have interpreted concerning the imprinting of the Bible ; for accomplishment whereof, your Wifdoms understood, that the office of a corrector, his diligence and attendance therein is most necessar : And therefore I humbly desire your Wifdoms to requiest my Lord Abbot of Dumfermline to licentiat Mr George Young his servant, whom I think most fitt to attend vpon the said work of correctorie, to concurre and assist me during the tyme of my travell, to the effect that the notable work begune and interpreted may be consummat and perfyted in all points : The charges and expenses of his travells I shall reasonably deburse, conform to your Wifdoms discretion, so that the work may pass foreward and be decent, as the honesty of the same requires ; whereunto I require your Wifdoms diligent answer : And, in like manner, it is not unknown to your Wifdoms, that for the furtherance of the same godly work tane on hand be me, the order is tane, that the Bishops, Superinten-

dents and Commiffioners fhould diligently travell for collecting, inbringing, and execution of the charge of our Soverane Lords letters direct to that effect: In confideration whereof I earnestly defire your Wifdoms to command and charge every Ordinar within his jurifdiction, to put the faid letters to due execution, and make me to be payed, conform to the tenor of the fame, whereby the godly interprife of the famine may take full effect with expedition: And becaufe your Wifdoms fufficiently underftand, that the concurrence of my Lord Fewar of Orknay fhall greatly help to the expedition of the faid work within his Lordfhips bounds, I humbly defire fupplication and requieft to be made to the faid Lord, that he would, within the bounds of his jurifdiction, caufe obedience and payment be made, conform to the tenor of the faid letters; whereby I your Wifdoms fervitour fhall pretermitt no kind of diligence, expenfes, or poffible power in me lyeth, that fo the faid godly work may take full furtherance and effect to the glory of God and the weale of his Kirk.

The faid fupplication being read and confidered be the faid Affembly, they all in one voice give commiffion to the brethren appointed to present the articles to my Lord Regents Grace, to travell with my Lord Dumfermline for fatiffying the firft article; and as concerning the reft, willingly condescends to the fame.

A. D. M.D.LXXVI.

THE Generall Assemblie of the Kirk conveyit in the Ovir Tolbuith of Edinburgh, the 24 of Apryle 1576: Wher ther was present Lords, Baronis, the Bischops of Glasgow, Dumblane, Dunkeld, Roffe, Brechine, Murray, Superintendents of Lowthiane and Angus, and Commiffioners of Countreyes, Townes, Kirks, and Minifters. Mr John Row, [Minifter of Perth,] Moderatour.

Sessio 1^a.

[The Bishop of Glasgow removed, was delated, For not preaching in the toun of Glasgow since he entered in his office, and alwise rare preaching, howbeit he was thought diligent in visitation; 2. That no injunctions were given to adulterers delated to him, nor summoned to receive injunctions; 3. That kirks within his diocese were not repaired; 4. That he hath no particular flock; and 5thly, Being required before his removing he the Moderator, to render the commiffion of visitation he had in the hands of the Assembly, he answered not directly, but only, That he would do reason. Being called in again, he answered to the first, Preaching is the good gift of God, which is not equally bestowed on all, and excused himself, that he was not so able, nor so liberally doted with understanding as others; always it cannot be denied but that he preached, and especialy at Govean and other kirks, and was willing to doe his duty: To the second, If the particulars were expressed, he would answer, but remembers not that he hath failed, as that head purports: To the 3d, He granted the

kirks are not repaired, and complains thereof as they do : To the 4th, That he received no particular flock in the entrie of his office, nor no question was then moved thereupon ; but if the Asssembly think that he should be astricted to a particular flock, he should either obey the Ordinance of the Asssembly therein, or give place to others : To the fyfth, If the Asssembly findeth that the commission which he hath, should endure only from year to year, he is content with the censure of the Assembly.

The Superintendent of Lothiane removed, was complained upon, For rare visitations, notwithstanding he had an act of the Asssembly, for concurrence and assistance of such as he would require thereto ; next, That he had initiated the Bishop of Ross in the Abbey of Halyrudhous, being admonished of the brethren not to doe it : Answered, That he had travelled in visitation till Januar, and sensyne hath been sick, and could not charge any of the brethren be reason of the evil weather : To the 2d, He grants his fault.

The Bishop of Dumblane removed, complained upon, That he had not taught since his entrie to his office, nor yet makes residence, nor hath a particular flock : Answered, He had not yet received any fruits of the benefice, hath been diseased thir three weeks begane ; alwise promifeth amendement in time coming. Being demanded, If he would demitt the commission of visitation which he had of the Asssembly, answered, He was content, if the Asssembly thought it good.

The Bishop of Murrey removed, was delated, first, That he had no particular flock ; next, Charged be Mr Patrick Balfour, that his stipend, be the negligence of the Bishop, is changed, and his name left blank in the rolls, and a dead person called James Sibbet put in the room of another, that he is not able to edifie the flock ; He grants he hath no particular kirk : As for the rolls he shall take order with the Clerk, that if any wrong be done, it may be reformed, and that there is no dead man placed in the books : Farther, He declared he was presently under process of horning, and, be the Regents Graces tollerance, came down this day, to present himself to the Asssembly. The Asssembly, in respect of his own confession, that he is at the horne, ordained him to be removed till he be relaxed.

The Bishop of Ross being required to dimitt in the hands of the Asssembly the jurisdiction of Visitation, which he had of the Assembly, condescended, and was exhorted to be diligent in visitation.

Sessio 2.

Anent the action of accusation led against Mr James Paton, called Bishop of Dunkeld, for diminution of the rents of the Bishoprick, be setting of a 19 year tack of 36 chalders of victual, for five shilling 8 pennies the boll, to the Erle of Argile, continued to this present Assemblie: The said Bishop being present in Assemblie, inquired, What he had done since the last Convention of the Kirk, for repairing of the said fact, declared, It had pleased my Lord Regents Grace to commune with the said Erle in the said matter, who promised to his Grace and lykwise to himself, to satisfie the Assembly therein, desiring a delay thereof to his coming: which desire being be vote of the Assembly refused, with his other fute of delay, whill he conferred with the brethren appointed to that effect in the last Assemblie, in respect of the long continuation of tyme which he hath had since the last Generall Assembly, wherein he might have been sufficiently provided, and have consulted with the said brethren, whose deliberation he, not the less, hath not sought; the said Assembly desired, what defences he had, why the said fact merits not deprivation, to propone the same, namely, in respect of the Act of the Generall Assembly made the 9 day of March 1569, Sessio 8, against such persons as diminish the rents and fruits of their benefices: Which act being publickly read, the said Bishop alledged a certain obscurity to stand in thir words of the act, "where the contraveners thereof are decerned to be deprived of their benefice;" desiring the interpretation and meaning of the whole Kirk herein; which being, be the greatest part of the Assembly, resolved and interpret to be this, That the contraveeners of the said act shall be deprived of their offices, and all that they have of the Kirk therethrough, so far as this lies in the power of the Kirk: The said Bishop alledged and propounded, That the said act and execution thereof should not strike upon him, the same being unknown to him, and never coming to his ears, nor never published; That an ordinance of the Kirk was, that all the acts of the Kirk should be revised, and such as were found unmeet to be retained, to be tane away; of which number he knowes not if the same may be one: That the said act means only of Ministers, and of the setting of manses and gleebes, and is not meaned of Bishops; and last, The said fact done by him proceeded upon a most just fear, which might fall on a most constant man,

his house being besieged, and his son taken away. All which defences being at length heard and considered by the brethren, and the said matter being profoundly and freely reasoned by certain of the brethren, both of the Law of the eternal God, and upon the said act, in utramque partem, Whither the said fact merits deprivation, or not: The whole circumstances of the fact, together with the confession of the said Bishop weyed and rypely advised by the Assembly presently convened, having chiefly regard to the glory of the name of God, and his Son Jesus Christ, for the most part resolved and concluded, The said Bishop to have contravened the tenor of the said act, and therethrough to incur the penaltie thereof, to wit, deprivation from his office, and that which he hath of the Kirk therethrough, so far as lyes in their power for ever. The said Bishop appealed from the said sentence verbo, to the Lords of Parliament.

This sentence was thought meet by the Assembly, to be intimat to my Lord Regents Grace; and to that effect directed Mr David Lindsay, Minister of Leith, and Mr Patrick Causfean. C.]

Anent the pluralitie of offices objectit to Mr Robert Hamiltoun, Minister of Sanct Androes: The said matter beand long debaittit with reasons on every syde, and rypely advyfit, the present Assembly, in respect of the circumstance of place and congregation of Sanct Androes, Finds and declares the twa offices joynt in his person to be incompatibill in him. [Mr Patrick Auchinleck, Commillioner for the toun of Sanct Andrews, protested in name thereof, That this sentence prejudge not the toun of Sanct Andrews, nor ingender any prejudice to them touching their Minister, without they be called and heard.

Conforme to the order taken in the last Assembly, for calling and summoning of persons delated for non residence, and dilapidation of their benefices, within every province, and for such as were then present and delated: The Assembly commandeth Mr James Hering, either to serve and make residence at his kirk, or else to dimitt his benefice. The persons with whom the Bishops, Superintendents and Commillioners had taken order with, conform to the ordinance of the Assembly; James Stirlin and John Kinnaird excommunicat by the Bishop of Glasgow; Mr John Rynd his accusation found to be untrue; Mr John Colvill summoned by the Visiter to compare upon Fryday; Andrew Spence had not obtained his Manse, yet used reading in my Lord Forbes his house; Mr William M'Gown, William Boile and James Stewart ordained to be

charged be their Commiffioners refpectivè, to enter to their charges, and make refidence at their kirks, as becometh them.

Mr David Lindfay and Mr Patrick Adamfon returned from my Lord Regents Grace, with his Graces answer concerning the Bifhop of Dunkeld, That the Kirk hath proceeded againft him, and deprived him worthilie for his offence, he could find no fault therein; yet his defire is, that a policie and univerfal order were eftablifhed in the Kirk, for fuch and other proceedings; and to that effect, fuch things are were penned in that argument in the laft conference, fhould be revifed and feen; or that, with fome of the Counfell, if the heads conceived before millyked them, they fhould fitt down and penne other heads; or elfe, themfelves to fett down and devife the faid policie, to be prefented to his Grace, that lawes may pafs thereupon. In this mean tyme, in cafe of the faid Bifhops complaint upon the Kirk to the Counfel, that fome of the learned be depute be the Affembly, to await upon the Counfel, and to reafone the matter formalie.

The Generall Affembly hath defired the honourable men and brethren underwritten, to advife what answer fhall be given to my Lord Regents Graces defire herein, to wit, the Lairds of Lochlevin, Wedderburne and Braid, with the Bifhop of Glasgou, the Laird of Dun, Mr Robert Pont, Mr Andrew Melvill, Mr Clement Littill, Mr James Lowfon, Mr Alexander Arbuthnet, Mr John Craig, Mr Patrick Adamfon, Mr David Lindfay; and to that effect to convene in the kirk, the morne at fix hours, and report their advice to the Affembly. C.]

Anent the advyfe and opinioun of the brethren given in, in the laft Affembly, concerning the queftioun movit, Whither if Bifhops, as they are now in Scotland, hes thair functioun of the word of God: The hail Affembly, for the greateft part, after reafoning and long difputation vpon every article of the faids brethrens opinioun and advyfe, refolutelie approvit and affirmit the fame, and every article thereof, as the fame is given be them; quherof alfo the tenour is heir reportit.

First, the name of Bifhop is commoun to all them that hes a particular flock, over quhilk he hes a particular charge, afweill to preach the word as to minifter the facraments, and to execute the ecclefiastical discipline with confent of his elders; and this is his cheife functioun in the word of God.

Attour of the number may be chofin fome to have power to vifite and

overſie ſick reaſonable bounds beyd his awin flock, as the Generall Kirk ſhall appoint, and in theſe bounds to appoint Miniſters, with conſent of the Miniſters of that province, and the conſent of that flock to quhom they ſhalbe appointit ; afweill to appoint Elders and Deacons in every particular congregation quher ther is none, with conſent of the peiple thereof ; and to ſuſpend Miniſters for reaſonable cauſes, with conſent of the Miniſters forſaids : And to the effect that the ſaids articles condiscendit vpon be the ſaid Kirk, may be the better followit out, and readie executioun enſewit thervpon as appertaineth, Ordaines the Biſchops, quho hes not git receivit the charge of a particular congregation, to condiscend, on the morne, quhat particular flocks they will accept to take the cure therof.

Seſſio 4^a

[Forſamekle as the great and intollerable burden lying to the charge of Biſhops, Superintendents and Commiſſioners, is, and hath been the very cauſe, that the whole Kirk within thir bounds could not be duely overſeen, conſequently good diſcipline unexerciſed within the ſame for lack of viſitation : Therefore it is thought meet, that ſuch bounds be appointed to every Commiſſioner and Viſitor, as may be duely viſit and overſeen be every one of them ; and to that effect the Aſſembly preſent hath elected the Commiſſioners of Countries with the perſons joyned to them under named, to convene at extraordinar hours to make a proper diſtribution and diviſion of the whole bounds of this realme, and to give in writt their opinions and judgement how every bounds may be beſt viſited, to the morne at nine hours.

The Names of the ſaid perſons follow,—

FOR GALLOWAY.

John Duncanſon.
Mr James Fothringhame.
The Laird of Gadzeart.

FOR NITHISDAILL AND ANNANDALE.

Peter Watfon.
John Fullerton.
Lyon Brown.
Mr John Porterfield.
Mr Andrew Polwart.

FOR TIVIOTDAILL.

Mr Andrew Clayhills.
The Laird of Fawdounfide.

FOR TUEDALE.

John Brand and
The Laird of Traquair.

FOR LOTHIAN AND MERCE.

The Superintendent of Lothian.
Mr David Lindfay.
The Laird of Braid.
The Laird of Spott.
David Hume.
William Hume.

FOR FIFE.

The Rector of St Andrews.
Patrick Weems.
Patrick Kinninmonth.
Mr James Wilkie.

FOR DUNBLANE.

The Bishop of Dunblane.
Mr William Stirline.
Robert Graham.

FOR STRATHERNE.

The Laird of Craigie,
Adie, and Strathurer.

Archibald Hering.
Mr John Row.
Andrew Merfer.

FOR AIR.

The Bishop of Glasgow.
Mr John Young.
George Campbell.
The Minister of Air.
Mr David Cuninghame.

FOR CLIDDISDALE.

Mr Andrew Hay.
Mr David Cunninghame.

FOR ANGUS, MERNES, STORMONT AND GOWRIE.

The Laird of Dun.
William Christefon.
Mr Andrew Mylne.
The young Laird of Dun.
James Anderfon.

FOR ABERDEEN AND BAMF.

Mr John Craig.
The Principal of Aberdeen.
The Laird of Craig.
The Laird of Innertowchie.
Mr Gilbert Gairdin.

FOR MURREY.

Mr Robert Pont.
Mr John Keith.
Patrick Balfour.

FOR ROSS.

The Bishop of Roffe.

Robert Graham.
Mr John Monro.

FOR CATHNESS.

Adam Davidfon.
Robert Graham.

For order to be tane with the parts of Argile, ordaines Mr Andrew Hay to desire my Lord Argile to be present in the Affembly : and ficklyk ordaines the Rector of Sanct Andrews, Mr John Row, Mr Patrick Adamfon, Mr Alexander Arbuthnet and Mr Andrew Melvill, to pass to my Lord Regents Grace, and declare to him the proceedings of the Kirk in this matter, the morne at seven hours.

Anent the lamentable writing direct from the French Kirk exiled in England to the Kirk of Scotland, bewailing their sorrowfull estate and condition, and desiring the almes collected be the brethren to be sent to them : The whole Affembly, after reading of the said writting, with the procurator of the said exiled brethren direct for receiving of the said contribution, being inwardly touched with the sorrow of their brethren grievously borne at under with the hard dart of necessity, willing, with all heartie and tender affection, to utter their brotherly care toward them, has ordained the summes already collected to be delivered and sent away to them, with such securitie as shall be devised be their brethren, Mr James Lowson, Minister of Edinburgh, and Mr David Lindfay, Minister of Leith : And, in the mean tyme, becaus a great part hath promised their charitable almes, which is not yet performed, ordaines the Bishops, Superintendents and Commissioners of Countries to labour earnestly at their hands, for inbringing of the same within 20 days next thereafter, and what is ingathered to deliver the same to Mr James Lowson, Minister of Edinburgh ; and a general writting to be framed be Mr David Lindfay to this effect.

The brethren appointed to conceive and forme the power and jurisdiction which shall be given be the Kirk to the Visitors of Countries, gave in their judgement and advice therein, which was allowed and approved of the whole Affembly : The tenor whereof followeth.

Articles concerning the Office of Vifitors.

That he call the rest of the Ministers together within the bounds of his vifitation, as also to hold Synodall Affemblies, to be Moderator there, to try the Ministers, and have the oversight of the schooles ; and he to be tried be this Affembly : To propone the matters that are to be consulted of, to gather the votes, and declare what is found be votes.

He shall have the oversight of all the particular Kirks within the bounds of his vifitation, and Ministers thereof, that every one of the Ministers exerce their own vocation diligently with their own congregations, and in the bounds of his vifitation ; to appoint Ministers with advice of the Ministrie of the Province, assembled in the Provincial Affemblyes, at the least six of the best learned within his bounds, or in lacking of that, of the next adjacent, to be chosen in the Synodal Affembly, with the consent of the people to whom he shall be appointed Minister : and that becaus the power stands not in the Vifiter, but in the Kirk, as to the suspension or deposition of any Minister from his office, the samen shall be done be the Vifiter and Ministrie in the said Synodal Affemblies, the caus being there tried, particular intimation being made to his particular congregation to be present ; except some urgent cause occurre, that it be necessar to doe the same with short advice ; as if the Minister committ some notorious crime, whereby he cannot be longer retained in his office : In the which caus the Vifiter may convene them that are upon the exercise in that Province, and they with him, and the Session of the particular Kirk, to proceed to suspension be the lawfull tryal of the offence.

Upon the presentations of Patrons to the Vifiter, he, with consent of the Synodall Affembly of his Province, shall give his letters testimonial to him that is presented, lawfull impediments being tane away, at the least with advice of six Ministers within his bounds, or in lacking that, of the next adjacent, to be chosen in the Synodal Affembly, providing always that the consent of the flock where he should be appointed be had, or else a reasonable caus be them shoven why not ; and in case he had been a Minister before, he to receive his letters testimonials upon the presentation, with the advice of the Ministers of the Exercise within that Province ; and none to give collation of any benefice without the bounds appointed to him be Commission of the Kirk.

That an admonition be made to all Ministers, that unadvisedly they proceed not to excommunicat ; and if difficultie arise herein, that the Visiter and the rest of the countrie be advised with ; and sicklyk in absolution.

Where there is not Ecclesia bene constituta, that he travell to constitute it.

That he take head to the keeping of Exercise, repairing of kirks, kirk yairds, delignation of manfes and gleebes, and all other charges pertaining ad decorum Ecclesiæ, and granted to the Kirk be the Lawes of the Countrie.

For reading and answering of bills and supplications, to be given in to this present Affembly, and, sicklyke, for reviewing of the books of Visitation, the Kirk deutes their brethren underwritten : They are to say, Mr Robert Hamiltoun, Mr Alexander Arbuthnet, Mr Andrew Melvill, Mr John Craig, Mr Gilbert Gairdin, Mr Andrew Cuningham, Mr Andrew Polwart, John Brand, Mr John Duncanson, Mr Andrew Clayhills, to conveen every day in the morning, till the same be answered and reviewed.

To the question moved, If a Bishop, Superintendent or Commiffioner of a Countrie may remove a Reader from a kirk, he being lawfully placed thereat, without a just cause : It was answered be the Affembly, That he may not be removed be them, without a just cause.

Sessio 5^a.

According to the order taken the day preceeding, the brethren and others appointed to the limitation of the bounds to be committed to the Visiters of Countries, gave in their judgment, how they might be best and most commodiously visited ; wherewith the Affembly being advised, divided the bounds to the Visiters underwritten, as after followes :—

To Mr Gilbert Foulzie,	}	Orknay and Zetland.
Mr James Annand,		
The Bishop of Ross, and his particular Kirk to be	}	Ross.
Channonrie of Ross, of his own consent,		
Mr George Hay,	-	Cathness.
The Bishop of Murray with assistance	}	Murrey.
of Mr George Hay, as he may,		

Mr Gilbert Gairdin :—Aberdeen and Bamff, the Kirks of Boyn and Buchan from Etham, not exeeming Mr George Hay his Kirk.

Mr John Craig :—The Laigh of Marr and Garrioch, with the Kirks of the Mernes beyond the Munt upon the water of Dee.

John Strathawechin :—The High of Marr and Garrioch, with Mr George Hay his kirk.

The Laird of Dun,	}	Angus and Merns.
William Christefon,		
James Anderfon,		

Mr John Row, with the assistance of Duncan M'Aula :—The bounds of Dunkeld, with the kirks of Sanct Andrews within Strathern, except the kirks of Dunkell within Fife and Angus, committed to the Visitors thereof.

The Bishop of Dumblane :—Dumblane, and the Kirk of Dumblane to be his particular kirk, of his own consent.

Mr John Winrame with such others as he shall chuse, with advice of the Commissioners that are to pass to Sanct Andrews :—Fife from Sanct Andrews to Leven.

David Fergufon :—From Leven to Cambuskenneth, the kirks of the Diocese of Sanct Andrews, from Forth to Tay on both sides, to Newburgh, and therefra west, on the South side of the Ochills, the kirks of Sanct Andrews and Dunkeld.

The Superintendent of Lothian,	}	From Stirlin to the Water of Leith.
Mr James Lowfon,		

Mr David Lindsay :—From the Water of Leith to Cockburnes Peth inclusive.

John Clapperton, Minister of Coldstrem :—Of Merce and Lamermuir.

Mr Andrew Clayhills :—For Tiviotdail.

John Brand :—For Tueddall.

Mr Andrew Hay,	}	For Cliddisdail, Renfrew, and Lennox.
Mr David Cuningham,		

Mr Peter Watson :—For Nithisdale and Annandale.

Mr John Duncanson :—For Galloway.

The Bishop of Glasgow being inquired, If he would accept of a particular charge and flock, or not, gave in his answer in writt to the Assembly, That he is content, while the next Assemblie, unbound to travel with some

several parishes, at such tyme as his leasure and other necessar causes will permit, provyding he be not astricted to the said congregation; and at the next Asssembly he shall give his answer, whither he will accept a particular flock or not: and if he refuse, the Kirk not to reprove him for his last promise; and if he accept one, the samen shall be at his own option, and shall have another to assist him in the Ministrie of the said flock, because of his visitations and other charges: And also that the said Bishop shall not be precluded of his office accustomed in the rest of the parts of his Diocie, and service of the King, conform to the first admision; and desired thir things to be allowed be the Assembly now present. The Generall Assembly continues him in the office of Visitation of the bounds which he had before, to their next Assembly. C.]

Mr James Lowson, Robert Pont, Alexander Arbuthnet, William Christefon, Johne Row and Johne Craig, with the Laird of Dun, are ordainit Commissioners to visite the Colledges of the Vniversitie of Sanct Androes, and to consider the same, the maner and the estate therof; and what they find to report to the next Assembly.

[Anent the question moved in the Assembly, Whither if the Asssembly may proceed against the unjust possessors of the patrimony of the Kirk and the poor, or not; and if they may proceed, how far they may: For answering directly and formally hereto, the Asssembly thought meet; first, it should be reasoned and disputed, If the Asssembly may proceed against such persons, unjust possessors of the said Patrimony of the Kirk; and after debating of the argument on either side, C.] The hail Assembly concludit affirmativè, That they may proceed against unjust possessors of the Patrimony of the Kirk, in respect of the notorious slander; [and that as upon slander,] and sickerly, that they proceed against them be doctrine and admonitioun; and last of all, if no remeid beis, with the censures of the Kirk: and farther, that the Patrimony of the Kirk, quhervpon the Kirk, the poore, the schooles should be sustaint, is *ex jure divino*; leivand the farther disputation of this matter to the first day of May next; and then the description of the Patrimony of the Kirk to be inquiryt at that day, and farther reasoning had for full resolution of the questioun.

Sessio 7^a.

[Forſameikle as there are diverſe queſtions and difficulties moved, and proponed to this Aſſembly, whereof the full and final reſolution, be reaſon of the ſhortneſs of the continuance of this Aſſembly, cannot preſently be had, it is thought meet, That a copy of the ſaids queſtions be delivered to the Biſhops, Superintendents and Viſitors of Countries, to be propounded and adviſed in their Provinciall Conventioun, and reported again to the next Generall Aſſembly.

The Biſhop of Murrey, required be the Aſſembly to give proof of his doctrine be the brethren, declared, That he was content to give ſpecimen and proof of his underſtanding, in the toun of Aberdeen, Dundie, or Murrey, before Mr John Craig, Miniſter of Aberdeen, and Mr Alexander Arbuthnet. The Aſſembly ordaines him to give the proof of his teaching before the ſaids perſons, in their Provinciall Aſſembly next to come in Aberdeen, and the ſaid brethren to report their judgment and opinion thereof to the next Generall Aſſembly: Farther, the ſaid Biſhop, at the will and ſight of the ſaid Aſſembly, was content to accept the cure of a particular flock. C.]

[Ordained their brethren, Mr Robert Pont, Proveſt of the Trinitie Colledge, Mr James Lowſon, Miniſter of Edinburgh, Mr Alexander Arbuthnet, Principal of the Colledge of Aberdeen, Mr Andrew Hay, Perſon of Renfrew, Mr David Lindſay, Miniſter of Leith, to review and overſie the book wrytin be their brother, Mr George Hay, contra Tyrie, and to conſider and try the ſaid work; and what judgment or opinion they conceive, the ſamen to propound to the next Aſſembly of the brethren. C. & B.]


[Anent the demand of Mr Andrew Hay, Perſon of Renfrew, If every Viſitor within his own bounds hath like power and juriſdiction to plant Miniſters, ſuſpend or depoſe for reaſonable cauſes: The Aſſembly reſolved affirmativé, That they have a like power and juriſdiction therein, as is contained in the particular articles printed concerning the juriſdiction of the Viſitors.

Forſameikle as it is heaviely deplored and lamented be certain of the godly brethren, That the Countrie, in all quarters thereof, is miſerably divided in factions and deadly feed, in ſo much as the pariſhoners, for fear

and suspicion which they have of others, dar not resort to their parish kirks, to hear the word of unity preached, nor to receive the sacrament and seals of their salvation; quherof riseth a shamefull and insufferable slander to the Kirk of God, and his true religion within this realme: It is therefore thought good, and concluded univervally, That the Visitors of the Countries in all parts zealously shall endeavour themselves, and travell with parties, to reduce and bring them to a christian unitie and brotherly concord, as becometh the brethren and members of Jesus Christ; exhorting them, as they tender the salvation and well of their own souls, to be at a heartie concord one with another, that the blessing which is pronounced for the peaceable may be imparted and given to them; and slander and offence arising to the Kirk through the occasion of their ungodly factions, may be cutt off and removed. C.]

[For making an overture of the policie and jurisdiction of the Kirk, and uttering the plain and simple meaning of the Assembly therein, the Assembly present hath moved and requested their brethren underwritten, to travell and take pains to reason and conferr upon the heads of the said argument, and to deliberat gravely and circumspectly thereupon, that they report their opinions advisedly to the next General Assembly, that is to say, For the West Countrey, the Bifchop of Glasgow, Mrs Andro Melvill, Andro Hay, James Greige, David Cunighame; for Lowthiane, Mrs Robert Pont, James Lowfone, David Lindsay, Clement Litle and Alexander Syme; for Fyffe, The Superintendent therof, with the principall Masters of the Vniversitie; for Angus and Mernes, the Laird of Dun, William Christefon, Johne Row, William Rynd, Johne Duncansone; for Aberdeen, Mr Johne Craig, Alexander Arbuthnet, George Hay: and thir persons to conveine ilk countrey and rank in the places following, viz. The West in Glasgow; Lowthiane in Edinburgh; Fyfe in Sanct Androes; Angus in Montrois, the first Tuesday of Junij next to come, to conferre and advyse vpon the said matter, and make generall meiting and conventioun, twa or ane at least, of ilk countrey above wrytin, in Stirling, the last of Julij thereafter, to communicat and cognosce vpon thair hail travells and labours taken heirin, and to conferre vnivervallie heirvpon together, and report quhat they have found and conceivit in the said matter, to the nixt Assembly quhilk is appointit to be in Edinburgh the 24 of October nixt to come, in cace no Parliament: and in cace of a Parliament,

the Kirk ordaines the Minifters of Edinburgh to make intimatioun therof to the Bifchops, Superintendents and Vifitors of countreyis, that the Kirk may be conveinit foure dayes befor the faid Parliament, and that the Barrones and gentlemen be exhortit to be prefent with the Commiffioners appointit in the Provinciall Affembles. C. & B.]



A. D. M.D.LXXVI.

THE Generall Affemblie conveinit at Edinburgh, the xxiiij day of October 1576: Wher there was present the Bifchops of Glasgow and Dumblane, Superintendents, Commiffioners of Provinces, Townes, and Vniverfities. Mr John Craig [Minifter of Aberdeen] Moderatour.

Seffio 1.

[In the tryal of Bifhops, Superintendents and Commiffioners, Mr Andrew Clayhills, Commiffioner of Tiviotdale, was complained upon, That, after he had discharged the Minifter of Ankrom to baptize a mans child, who had an idol in his houfe, he himfelf came after, and caufed the faid Minifter to pafs out of his pulpit, and baptized the bearne, whereupon a fhifme followed in his congregation: 2dly, He had refufed to give forth an edict, as the Synodall Affembly had ordained, to fummond perfons who had not repaired to the Communion: 3dly, He would not be tryed be the Synodall Affemblie, as they were be him, but faid that he would be fuperior over them: Fourthly, That he reftored two Readers who were fufpended be the faid Affembly, within eight days after their fufpenfion, without their advice. To the firft, he answered, He baptized the faid bearn, becaus after that George Johnfton, Minifter, had refufed to baptize him at his command, the woman who bear the bearn, conceived difpleafure and dyed; whereupon her husband conceived a deadly feed againft the Minifter, and would not fuffer him to baptize the bearne; alwife, after

promife taken to put away his idol, for efhewing of greater inconvenience, he baptized the bearn. The 2d and 3d he denyed. As to the laft, He reftored the Reader with confent of the brethren.

Mr George Hay, Commiffioner of Cathnefs, at the defire of the Affembly, rendered up his commiffion, as alfo did the reft of the Commiffioners who were prefent. Mr Andrew Hay, John Duncanfon, Mr Peter Watfon, Mr John Row, were not only willing to give up their commiffions, but alfo craved to be exhonerated thereof. C.]

Mr John Row, David Lindelay, Patrick Adamfone, were directit fra the Affembly to fute my Lord Regents Graces prefence at this Conventioun, or vthers authorizit with his commiffioun.

Seffio 2^a

[The brethren directed to my Lord Regents Grace] reportit, That the charge of the Kirk came fo fuddenlie [to him] that he could not be prefent, nor addrefse his Commiffioners thereto: Alwayes, if the Kirk thinks meitt, he fall appoint certaine of the Counfell to conveine with the Commiffioners quhilk the Kirk fall appoint, at fick tymes as the Kirk fall think good, to conferre vpon fick things as may further the glorie of God.

[Forfamekle as the Affembly preceeding had given commiffion to fome of the brethren to confult upon the matter of the Policie of the Kirk, and to report their judgment contained formalie in writt to this Affembly, wherein fome travels have been taken be the brethren, and something penned: C.] It is thocht good be the Kirk, That fick things as are alreadie pennit anent the Policie of the Kirk, as was ordainit be the laft Affembly, fould be revifit, and vther things quhilk falbe prefentlie given in, fightit and put in good forme [and order:] And to that effect the Kirk requeifts my Lord Chancellor, the Laird of Lundie, Mr Andro Hay, Andro Melvill, James Lowfone, Johne Durie, Robert Pont, James Wilkie, Reftor of the Vniverfitie of Sanct Androes, Johne Row, George Hay, Clement Litle, to conveine at afternoone, and daylie dureand the Affembly, at fick hours as they aggrie vpon, to conferre vpon the things already pennit, with vthers quhilk wilbe given in, and advyfe therevpon, collect together in good forme, and prefent the fame to the Affembly, befor the diffolving therof.

Because of the multitude of the bookes of Commiffionars quhilks are to be examinat in the Generall Affembles, and large tyme spendit therein ; befyd sikk as are deput thereto knows not the proceedings of the saids Commiffioners sa weill as thair Synodall Affembles : Therfor, it is decreit and statute be the Kirk present, That the bookes of the Vifitors and Commiffioners be tryit and sein in there Synodall Affembles, and subfcryvit be the Clerks therof, and the most part of the said Affembly, and reportit againe to ilk Generall Affembly be the Commiffioners, that the Kirk may confider thair diligence in thair offices.

[The Affembly remembring the Bishop of Murrey his admiffion to stand yet under question, and that he, with his Chapter, was ordained to have been summoned to fundrie Affembles, to have heard trial taken of the said proces, with certification, if they compeared not, the sament should be declared null and void in itself in tymes coming, and yet nothing done, hath ordained summons to be direct, summoning him, with the Chapter foresaid, To produce the said proces, and hear trial taken therein, the second day of the next Affembly, with certification, if they compeared not, the same shall be declared null and void in the self in times coming ; to be execut be their brethren, Mr George Hay, &c.

Forfamekle as the dishaunting and intermission of Exercife almost every where is greatly lamented, and the chief reason thereof is for lack of penaltie and punishment of such as either should prophesie themselves, or occupy the second place of Addition : Therefore C.] The Affembly present hes [thought meet and] ordainit, That all Ministers and Reidars within aught myles, or vtherwayes at the good discretioun of the Vifitor, fall resort to the place of Exercife ilk day of Exercife, and namelie the Ministers that sould prophesie, and that sould adde : Quherin if either of these two failzie, That, for the first fault, in presence of the brethren of the Exercife, vpon thair knees they confesse thair offence ; That, for the second, they make the lyke submissioun befor the Synodall Affembly ; if they incurre the thrid, That they be summoned befor the Generall Affembly, and receive discipline for their offence ; and if they fall in the fourth fault, That they be deprivit of thair offices and functiouns of the Miniftrie.

The Kirk gives commiffion to the Laird of Dunne to summons Mr James Fotheringame befor him, and to take tryall of the slander of haynous adulterie betuixt him and Margret Lindesay, and of ane pretendit mariage

allegit solemnizat and compleit betuixt them, and to report his proceeding heirintill to the next Generall Affemblie ; with power also to him, to charge the said Mr James and Margret Lindefay to separate themselves fra vther, quhill tryall be takin of the said slander, under the paine of excommunication ; and if they diffobey, to excommunicat them : And, in the meane tyme, in respect of the contempt of the Kirk, in not making his purgatioun of the said slander befor the said Superintendent, being thereto fummoned, the Affemblie present suspends him fra all functioun and office within the Kirk.

Sessio 3^a

Anent the proposition of certaine brethren of the Affemblie, declarand that the Regents Grace hes presentit Mr Patrick Adamfone to the Bishoprick of Sanct Androes, and that, be the ordinance of the Affemblie, Bischops sould be tryit befor them, befor they be admittit be the Chapter, Requyreand both the counsell and advyse of the Kirk herein : The said Mr Patrick being present ansuerit, That my Lord Regents Grace had dischargit him to proceid farther in this matter, in respect the said act and ordinance of the Kirk is not accordit on ; and therfor he wald not midle farther and make instance therein ; quhilk ansuer the Kirk thocht sould be given be the Chapter to my Lord Regents Grace.

Sessio 4^a

[The Affemby thought meet, that Mr Patrick Adamfon, Mr John Row and Mr David Lindsay notifie to the Regents Grace the order to be taken for the Visitors of Countries, and what number the Affemby thinks good, according to the division of the bounds, with the names of the Visitors, if he shall require ; desiring provision to be made for them, and to returne his Graces ansuer again.

Sessio 5^a

The brethren direct to the Regents Grace, to know his Graces will concerning the Visitors, returned his answer, That he would be advised with the rolls and the Collectour. C. & B.]

[The Assembly continueth all the Commissioners that were appointed in the last Assembly, except Mr John Gairdin, in their offices till the next Assembly; and in place of the said Mr John Gardin, gives commission to John Vre to visit the bounds appointit to the said Mr John of before.

Mr Andrew Hay protested, That he be not obliged to farther than he may doe reasonably upon his own expenses, otherwayes accepteth not the commission.

The same day, C.] Alexander Hay, Clark to the Secret Counsell, presentit to the Assembly certaine questiouns, quherof he craveit decision for the better expedition of the platt; declaring it to be my Lord Regents Graces will, at the least so many as now may [goodly] have resolution; [that others of greater importance and difficulty be reserved to better opportunity.]

[The Questions are not extant in the Register of the Assembly, but the tenour of them found in a certain copy, followeth :—

1. Ought there to be any degrees of dignitie, and order among Ministers, in respect of learning, age, or places where they make residence.
2. May Elders, Deacons, Ministers once elected, and accepting the charge, leave the same again during their lifetyme.
3. Shall the order of the Elders and Deacons be alike in every parish, as well without burgh, as within; in little parishes, as mekle; as well where there wants a Minister, as where there is one; fall their power and authority be in every particular parish alike, and their number alike.
4. Ought any teinds or dueties be sought from the parochiners that want ministration.

5. Resteth the power of excommunication with the Minister, Elders and Deacons of every particular Kirk ; or is it requisite, That they receive advice and direction thereanent from the Archbishop, Bishop, Superintendent, Commissioner or Visitor of the Diocie.

6. How many of their names and offices are tolerable in Gods Kirk ; and what is the difference between them.

7. Shall he that overseeth the other Ministers, whether he be provided for term of life, or for a tyme, do things him alone, or shall he have any Counsell, Assessors or Chapter.

8. How far may the Ministers, Elders and Deacons of every particular kirk and parish proceed ; and in what causes.

9. What cause properly belongs to the decision of the particular Assembly of any Diocie, Shyre or Province ; who are subject to convene thereto, how oft, and at what places.

10. How many Generall Assemblies ought to be within a kingdom ; be whom they should be convocat ; for what cause ; what forme of summoning and of proceeding ; who shall be President ; and how many shall have power of voting ; upon what matters may the Generall Assembly intreat ; what executions and pains upon the acts and decreets ; what persons ought ordinarily to be present thereat ; what pains against them that ought to come, and absent themselves ; how far may be proceeded, in case the greatest part that should come, compare not ; and whether may the fewer number convening, give law to the greater being absent.

11. Who shall occupie the place of the Ecclesiastical Estate in the Kings Parliaments, Conventions and Councils, and how many.

12. What is the proper patrimonie of the Kirk.

13. Shall all Ministers livings be alike in quantitie, because they are thought to be alike in dignitie.

14. He who is thought worthy to preach the word and minister the sacraments, Is he not also worthy to be promoted to any benefice, seeing it is thought there is no preferment of dignitie among Ministers in respect of anie qualitie.

15. Shall benefices be conferred to particular Ministers in title, or shall the rents of all come to a common collection, and be distributed at the discretion of the General Assembly of the Diocie.

16. Shall the Diocese, or provinces and the parishes continue accord-

ing to the present division of them; or if there appeareth any alteration requirit, be whose authority ought it to be done.

17. What are the causes, and what shall be the manner of suspension and deprivation of persons being in the Ministerie from their functions and livings, and whether shall the process or shall the person accused have a libell to answer unto, and what execution shall follow upon the sentence.

18. Shall deposition from the office and function induce also deprivation from the benefice and living, and what forme of process in that behalf.

19. Whether dilapidation of the rents of the benefices, non residence, pluralities, committing of slaughter, adultery, simony and such detestable crimes deserve deprivation of persons provided to benefices, and what manner of judgment therefore.

20. What is Simonie.

21. If non residence of persons bruing benefices, and occupying of ordinary offices in the Kirk, merits deprivation, why should not the order as well extend to them provided of old, as to them provided since the Kings coronation, considering whatever is unlawfull against conscience, and contrar the will of God at this present, hath been wrong and unjust in all times preceeding; and the longer unjust possession continues, it heapeth the greater damnation upon the possessors.

22. Whether may any man be both a Minister, and a Master of a school, or Provost of a Colledge.

23. Whether may a man be both a Bishop, and a Lord of the Seat.

24. Whether may a man be both a Minister and a Procurator or Man of Law, a Sheriff, a Toun Clerk, a Notar or a Consistorie Clerk.

25. Whether may a man be both a Minister and a Commisar of the Consistorie.

26. Whether may a man be both a Minister and a Sheriff or Justice Criminall, or Provost, Bailiff or Seargent of a toun.

27. Whether may a man be both a Minister and a Reader, or an officer of armes, or a Lord or Lairds steward, grieve, pantryman, or porter.

28. Whether if a man may be both a laird or landed man, and therewithall a Minister or a Reader: in case the Kings proclamation come, or that he be summoned upon assises or inquests in criminal or civil causes,

ought he to pass to the warrs, and keep the Shireff and Justice Courts ; or is he, be any law, exeemed, in respect of his ministrat[i]on or reading.

29. In case the Minister or Bishop conquers lands to be holden of the King, or other superior, for personal service in the warres or sicklyke, how may he of conscience discharge both the one and the other function.

30. Shall payment of the thrids be perpetual, or for a time.

31. What benefices presently ought to pay thrids, and what benefices none.

32. What provision for the wives and bearnes of the Ministers deceasing, and how long shall they continue with the manes and glebs unre-moved.

33. Who shall be judges in causes of matrimony and divorcement, of testaments, of the right of patronages, of benefices, of tinfell and deprivation from benefices, of the payment of Ecclesiastical rents and livings, of flanders.

34. How many sufficient and worthy Ministers to preach the word and minister the sacraments, is there presently within the realme of Scotland, and what are their names, at what kirks were it meetest to place them, what living and stipend to appoint to every one of them, and whether meeter to provide them for terme of life, or but from Assembly.

35. What shall be the condition of kirks and parochies, where no Ministers are presently to be placed.

36. Shall the Readers be presently discharged, or not ; what are there names, and how many of them esteem ye worthy or unworthie to be continued.

37. A man provyded of old to a benefice, and now serving at another kirk for a stipend, Whether is he just possessor of the benefice, or may he be compted mercenarius for his stipend.

38. What difference to accept the title of a benefice of four parish kirks annexed to it, and to accept the service and ministrat[i]on of four several parish kirks that are no greater bounds nor number of parishioners than the other.

39. Are the articles and forms accorded upon at Leith, in Januar 1571, altogether to be followed, or altogether presently to be casten off and rejected ; or what indifferent thing were proper and convenient to be followed.

40. Is it against conscience and good order, That one man shall be

appointed Reader to fundrie kirks, or that one mans name fall be twife written in the book to two fundrie places, that he may thereby get two stipends.

41. Whether hath the City of Geneva committed sacriledge, or not, in appointing of the rents and teinds of their Bishopricks to their common theasure, paying but a certain portion thereof to the stipends of their Ministers.

42. Since be the lovable custome of the primitive Kirk, the Kirk rents were distributed in four parts, viz. to the schools, the poor, the upholding of kirks, and the Minister or Pastor, Ought not the rents of all benefices and stipends now possessed and received be Ministers, and the rents of all lands, or teinds conquered and possessed be them, either of the former kirk rents, or be meane thereof be the new reformed Kirk of Scotland, semblable be divided, and applyed according to this order of the primitive Kirk. C.]

Anent the qualities of Readers, It is thought meit, That the hail Reidars within this realme salbe examinat and tryit de novo in thair Synodall Assemblies; and if, after examinatioun, they be found to want the qualities prescryvit in the Booke of Discipline, to be deposit, and removit fra thair offices: And, sicklyke, That no Reidar within this realme minister the holie sacraments of the Lord, except sick as hes the words of exhortioun, in their mouths.

[For reiding of the bills and supplicatiouns given in to this Assemblée, and answering thereof, the Assemblée hath named and deput their brethren, Mr James Melvill, Mr Andrew Mylne, Mr James Carmichael, John Duncanfone. C.]

Sessio 6^a.

[Anent the proposition made be Mr Henry Kinross, Advocat, in name of our Soverain Lords Sessio, putting the Assemblée in remembrance of an act and order made be them, for in bringing of the perones defunct,

desireing the Kirks answer, what had been done herein : The Assembly and Commissioners present understanding be the greatest part of the brethren, that the said act was not put in execution for lack of knowing of the same ; after public reading thereof, ordaines the said act and ordinance to be kepted and observed against the next Assembly ; and the names of the persons deceifed since the date hereof, to be reported to the Generall Assembly, conforme to the said ordinance : And to the effect, that the same may be universallly kepted and observed in times coming, It is thoght meitt, that in every parochin, ther be persons appointed to break the earth, and to make sepulchres, that shall notifie the names of the persons deceifit to the Reidars, that they may present the same to the Commissioners, to report the same to the Generall Assembly. C. & B.]

Forfameikle as the Kirk and Commissioners present, advyfedlie considering the great prejudice and hurt done to the Kirk of God be benefic persons within the Ministrie, that setts fewis and taks of thair benefices and ecclesiastical livings, lands, rents, teinds and frutes of the samein, defraudand not only their successours of that quhilk justlie should pertaine to them, and quhervpon they ought to be sustaint ; bot also bringand vpon the Kirk be thair inordinat and corrupt dealing, infinite slanders and inconvenients : Therfor, with vniformitie of votes and myndes, they have concludit, That no benefic person within the Ministrie, Bischops or vthers, shall sett fewis or taks of their benefices, or ecclesiastical livings, lands, rents, teinds and frutes of the same, or any part therof, to quhatsoever person or persons, without the advyse and consent of the General Assembly of the Kirk : and, sicklyke, that no Minister subscriyve nor give thair consent to the saids fewis or taks, in any wayes, quhill they see the consent of the Assembly.

For better resolution of the questiouns given in be Alexander Hay, Clerk of the Secret Counsell, and expeditioun of the matter of the Policie ; The Kirk present hes ordainit Mr Johne Craig, William Christefone ; George Hay, John Duncansone, Andro Melvill, James Melvill, Andro Hay, David Cunnighame, Johne Row, James Greig, James Lowfone, David Lindesay, Robert Pont, David Fergusone, Robert Hamiltoun, Johne Robertfone, Johne Erskine of Dunne, ane of the Visitours of Angus and Mearnes, if he beis present, to conveyne the nixt day after the dissolution of this Assembly, and visit and consider the heids of the Policie, advyse and consult diligently therupon, and vpon the saids questiouns, and

to report their judgements theranent, conceivit formallie in wryt, to the next Affemblie.

[Anent the heads and articles of accusation given against Mr Thomas Hepburne : The Affemby committs the vifitation of the fame to their brethren, Mr John Row, Mr James Lawfon, Mr David Lindfey and Mr Andrew Melvill, and to receive his answers to the faid accusations afternoon. The fame day the accusations with their answers being reported to the Affemby at afternoon, and read, and the faid Mr Thomas inquired, namely, of the doctrine taught be him, That no Soul entereth in heaven, where Chrif is glorified, while the latter judgement, if the fame be damnable and erroneous, or not : Answered, That he had learned the famen opinion out of certain ancient Doctours of the Kirk ; neverthelefs if a better reason be brought to refute the famen, he will not adhere contumaciously to his own witt, but yield to the better reason : for which purpose he desired he might have conference and privie concurrence of certain of the learned brethren, namely, of Mr John Craig, Mr John Row, Mr Andrew Melvil, Mr Robert Pont, Mr George Hay, Mr James Lawfon ; wherunto the Affemby accorded, and appointed the faid brethren to convene the morne, at 8 hours in Mr James Lawfons hufe, with the faid Mr Thomas to that effect, and to report their judgements upon his answers, as well concerning the faid article and doctrine, as other articles of accusation laid to his charge, at ten hours. C.]

Anent the fummounding of the Moderatour, and Mr Andro Hay, Commiffioner of Cliddifdaile, to compeir befor my Lord Regents Grace and the Princes Counfall, bringand with them the act and ordinance, made be the Affemblie for excommunication of the Captaine of Crawford, with the act quherypon the fame proceidit, that the veritie might be knawin : The Kirk ordaines thair brether to appear befor my Lord Regents Grace and Counfell, and give obedience, and to report quhat beis done in that matter.

Returneand to the Affemblie fra his Grace and Counfell, they declarit, That, in respect they producit not the acts and ordinance forsaide, quhill they excused be shortnefs of the charge, and occupatioun of the Clark, his Grace and Counfell hes fuspendit the faid sentence of excommunication quhill the production of the faidis actis ; quherfor they proteffit for the libertie of the Kirk.

[Anent the supplicatioun given in be the toun of Dumferline, for liberty to be granted them to play upon a Sunday afternoon, a certain play which is not made upon the Canonical parts of the Scripture: The Assembly refuses to give libertie to the Bailzie of Dumfermling to play upon the Sondag afternoone, a certaine play quhilk is not made upon the Canonicall parts of the Scripture, in respect of the act of the Assembly past in the contrair; exhorting the Bailie of Dumfermling, presenter of the bill, to requiest the toun to keep the ordinance of the Assembly. C. & B.]

Sessio 7^a

[Anent the doubts and difficulties proponed in the matter concerning Mr Robert Hamilton, Minister of Sanct Andrews, and Provost of the New Colledge thereof, to witt, Which of the two offices, Provestrie, or Ministrie of Sanct Andrews, he should retain and enjoy; seeing it is Found and thought he may not brook both. The Assembly and Commissioners present, after long and prolix reasoning had in the matter, considering the said Mr Roberts first entrie in the function and office of the Ministrie of Sanct Andrews, quherto, without advice of the Assembly, he had unite the said provestrie: and seeing, be the act of the last Assembly, the said two offices are not found compatible in his person, Decerns and ordaines the said Mr Robert Hamilton to remaine still with the Ministrie and Pastorship of Sanct Andrews, and to watch and attend zealously and diligently upon the cure and charge thereof, as becometh a faithful and vigilant pastor to doe to his flock, and in the name and fear of God, to leave and cast off the said office and charge of Provestrie of the New Colledge, as an impediment, stay, and hinderance to his office and calling of the Ministrie, under the pain of the censures of the Kirk. C. & B.] Mr William Skene, Commissioner of Sanct Androes, in name of the New Colledge and electours of the said Mr Robert to the said Provestrie, dissentit fra this sentence; quherunto the said Mr Robert adherit, in respect, as he alledgit, the Kirk could not discharge him of the Provestrie, and that he could not beare the burden of the hail Kirk of Sanct Androes in his awin person.

[According to the ordinance of the Assembly, the brethren depute to the reason and conference with Mr Thomas Hepburne, anent the

Article of doctrine teachit and professit be him, That never Soule went to heaven before the latter day, and to give their judgement upon his answer thereto, with the answer made to the remanent articles laid to his charge, reported, That they had entered in reasoning and conference with the said Mr Thomas, concerning the article of Doctrine above written, and laid before him fundrie testimonies of Scripture, and reasons confuting and evicting the said error, which always have not satisfied the said Mr Thomas; yet if the Assemblie present will damne the same article of doctrine, as erroneous and heretical in whatsomever professing the same, the said Mr Thomas will give place to their judgment, and leave his opinion therein; which report being alswa allowed be the said Mr Thomas to be his mind and declaration: The Kirk, after reiding publiclie of the said Article, of ane mynd and voyce but exceptioun, altogether damnit and detestit the said Article, and adjudgit the samein to be heretical, false, and erronious, repugnant and contrarious to the plaine and evident word of God, reveilit in his sacred and holy Scriptures, foundit and having the ground only upon curiolity of mens witts, without affurance of Gods law; and, therfor, inhibites all and quhatsumevir persons publickly or privatly to mantaine and defend the said errour, vnder the paine of the censures of the Kirk; leavand alwayes the said Mr Thomas to privie conference with sic brether of the Ministrie, as he thinks good, for his resolution in the said matter: And alwayes for confideration presentlie moveand the Kirk, discharges the said Mr Thomas fra entering in the Ministrie, quhill the Kirk be farther advist. C. & B.]

[Ordaines the Ministers of Edinburgh to try diligentlie and examine

Forlyth, proponed to the brethren presentlie to enter in the Ministrie, if he be qualified and apt for the charge thereof, and able to discharge the dutie and office of a Minister, without the knowledge of the Latin tongue; and if they after trial, do find him meet for the sament, notwithstanding the inlaike of the knowledge of the said tongue, to give their testimonial therupon to the Commissioner of the countrie, within whose province he shall happen to receive the cure, that they may admit him; otherwise reject and repell him. C.]

Anent the proposition of the brether of the Chapter of Sanct Androes, declarand that my Lord Regents Grace hes presentit Mr Patrick Adamson to the Bischoprick of Sanct Androes; and they beand of the Chapter, in respect of the act and ordinance of the Generall Assemblie, delayit thair

proceeding therin, desyreand the Assemblies present to proceed to the tryall of him, conforme to the said act: The said Mr Patrick being present and requyrit be the Assembly, If he wald submitt himselfe to the tryall and examinatioun of the Assembly, and receive the office of a Bischop according to the injunctions of the Kirk, and conditionns qualified in the Register of the Kirk: He anfuerit, He could not doe the same.

[Questions resolved by the whole Assembly.

Q. Whether if salt pans, mylnes, and other labouring, which drawes away innumerable people from hearing the word of God, should be permitted to goe on the Sabbath day; and, Whither the Assembly should not oppone themselves hereunto, and make strait acts in the contrair. C.]
 A. Salt pannes, mylnes, and vther labouring, quhilk drawes away innumerable peple from the heiring of the word of God, sould not be permitted, and the violaters to be debarrit from the benefites of the Kirk, quhill they make thair repentance, and the continuers therin to be excommunicat.

[Q. Whether if a man or a woman divorced for adultery ought to be admitted to the second marriage; and if the Kirk ought not, like as they have inhibit the Ministers to marrie any such, so plainly to give their judgements in this case, and to declare it to be unlawfull, specially in respect of the great inconveniences that follow daily thereof; namely, some forge causes of adultery; some make causes indeed; and some be collusion corrupt judgements; and all in hope of a new marriage, which daily they attain unto be some hyreling smaikes, who are but suspended therefor for a while; swa that if provision be not shortly made hereunto, no man may brooke his wife, nor no wife her husband longer than they lyke; and a barbarous confusion unknown to the very Ethnicks and Turks shall enter in among us. C.]
 A. The Kirk will not presently resolve the question, Whither if a man or a woman divorcit for adulterie, aught to be admitted to the second marriage; but inhibites all Ministers and Reidars to marie any sick persons, vnder the paine of deprivation simpliciter, without any restitution to thair offices in tymes cuming; and the persons so joynit, to be chargeit to separate themselves, conforme to the Act of the Assembly in August 1574.

[What forme of repentance shall be enjoyned to a man that committs both adultery and incest. C.] A. Ane man that committs both adulterie and incest, fould be double punished.

[Whether if a Minister or Reidar may tap aile, bear, or wine, and keep an open tavern. C.] A. Ane Minister or Reidar that taps aill or beir or wyne, and keips ane opin taverne, fould be exhortit be the Commissioners to keip decorum.

Whither if burialls fould be in the kirk or not : Anfuerit, Not : and that the contraveiners be suspendit fra the benefites of the Kirk, quhill they make publick repentance.

[What punishment shall be enjoyned to an adulterer relapfed : C.] A. Relapfe in adulterie is double punifchit.

Sessio 8^a

Anent the requisition of the Assemblie made to James Bischop of Glasgow, to give his ansuer, If he will accept of the charge of ane particular flock, and visitation of sick bounds as the Kirk fall think good and appoint to him, conforme to the articles concludit in the Assemblie : The said Bischop being present exhibite to the Kirk his answer heirto in wryte, as followes.

Forfameikle as it is not vnknowin to gour Wisdomes, that ze gave commission and charge to certaine learnit, godlie, and discreit brether of the Ministrie, and vthers, Elders of the Kirk, to commoun, treat, conclude, and agrie with certaine vther Noblemen, Commissioners from the Kings Majestie, Johne vmquhile Erle of Marre his Regent; at the quhilk Conference it was agreit be the hail Commissioners, asweill of the King as of the Kirk, anent the name, style, power and jurisdicioun of the Bischops, with the forme and manner of thair institutioun, Ordainit to stand and remaine quhill the Kings Majesties zeirs of minoritie, or, at the least, quhill a Parliament fould vtherwayes decyde ; and, conforme to the ordour therin conteinit, he was receivit in the said Bischopruck of Glasgow, and made his fermoun to the Kings Majestie, in things pertaining to his Hienes ; and swa if he fould

change or alter any thing pertaining to the ordour, manner, or priveledges, or power of the samein, I should be afrayit to incurre perjurie, and might be callit befor the Kings Majestie, for changing ane Member of his Estate : bot to the effect your Wisdomes may know, he desyres not to be exeimitt from travell, and bestowing of sick gifts as God hes communicat to him, he is content, at thair command, to haunt to ane particular kirk, and to teach therat, quhen he dwells in the Sheriffdome of Air, and that be discretioun and sight of the brethren of that Countrey ; and quhen he is in Glasgow, to exerceise lykwayes at some part, quher the brethren ther think most necessarie, and to abyde thair judgment of his diligence in that behalfe, without binding him ony wayes, or prejudging the power and jurisdiction quhilk he receivit with the said Bischoprick, vnto the tyme prescryvit in the said Conference, that farder ordour be tane be the hail Estates theranent ; at quhilk tyme he salbe content with all good reformation as salbe fund expedient. Quhilk anfuere beand red, the Kirk continuit, and continews the said Bischop in the visitation of the bounds quhilk he had befor, to the nixt Assemblie ; and as to the particular flock, [the Assemblie is content he take the care of a particular flock,] as is mentionat in his anfuere, to the nixt Generall Assemblie.

Anent the forme of repentance of fornicators : The Kirk and Commissioners present hes vottit and concludit, That ane of the dayes of thair appeirance to make repentance for thair offence, be on ane Sunday at ten houres befor noone, in tyme of preaching, in presence of the congregation ; and that double fornicators receive double punishment for thair offence.

[In respect of the abience of John Vre, one of the Commissioners appointed to the visitation of Fife, the Generall Assemblie ordaines David Ferguson, one of the said Commissioners, to supply his room in entering of the Ministers and Readers within his bounds, in the book of assignations, hac vice tantum.

The same day, Mr James Lowson, Minister of Edinburgh, reported to the Assemblie and Commissioners present, an acquittance and discharge of the money collected for the help and supply of the exiled brethren of the French Kirk in England, with a roll of the names of the persons contributing thereto, and the quantity of every mans contribution, desiring the one and the other to be inregistrat and booked in the Register of the

Kirk, ad perpetuam rei memoriam ; which desire the Affemblic thought good, and ordained, and ordaines the sament to be registred among the Actis of ane Affemblic, to be a testimonial to the posterity and age to come, of the good mind and zeal of the charitable persons, that succoured the necessity of their said brethren in the day of their extremity : The tenor of the said exoneration and rolls shall appear hereafter. Further, the said Mr James exponed and shewed, that, since the delivery of the said money, be the diligence and procurement of the Visiters and Superintendents, some more money is brought in and received be him ; willing the Affemblic to declare what shall be done therewith, and how the same is thought to be imployed : The Affemblic thinks it meet, That the sament shall be keeped be the said Mr James, and remain in his hands, till order be tane herewith. C.]

[Apud Haliruidhous penultimo Octobris Anno m^o v^o lxxvj.]

Sederunt.

Jacobus Dominus Regens.
 Archibaldus Comes Angusie.
 Comes de Buchane.
 Joannes Dominus Maxwell.
 Joannes Dominus Hereis.
 Jacobus Episcopus Glasguensis.
 Adam Episcopus Orchadensis.
 Robertus Commendatarius de Dunfermling.
 Commendatarius de Culros.
 Marcus Commendatarius de Newbottill.

Auent the complaint maid to my Lord Regentis Grace and Lordis of Secret Counsaile be Johnne Carmichaell of Medofatt, makand mentioun, That quhair vpoun proclamatioun of bandis for mariage to be completit

betuix him and Elizabeth Scott his spous ; they beand fre perfonis, thair mariage wes solempnizat in the moneth of Apryle laft bipaft, conforme to the ordour of the Kirk ; zit be quhat occafion he knawis not, Maifter Williame Livingftoun thair Minifter, allegeand him to haue command of the Bifchop and Commiffionar within the Diocie of Glaſgow, to admoneis the faid Johnne Carmichaell to abftene fra his faid ſpous, vnder the pane of excommunicatioun, quha myndis to proceed therto : ffor remeid quhair of he preſentit himſelf to the preſent Generall Aſſemble, deſyrand the faid command to be diſchargeit, in reſpect of his faid mariage ſtandard vn-reduceit, or diſchargeit null be the Juge Ordinar ; nottheles Maifter Johnne Craig, Moderator, opponit in the contrair, allegeand the Kirk to haue maid ane generall act and ordinance anent all perfonis allegeit adulteraris, quhairby thay haif ordanit the faid Johnne Carmichaell to abſtene fra his faid ſpous, ay and quhill it be decernit and tryit quhither thair mariage be lauchfull or not, vnder the pane of excommunicatioun : Quhilk ordinance is and mon be repugnant to the law of God, inſafar as they are mareit conforme to the ordour of the Kirk, with all ſolempniteis requirit therto ; ſwa of the law it is preſumit to be lauchfull, and neids na forder declaratour ; and gevand it wer not lauchfull, zit the faid adminitioun is evill vſit aganis the faid Johnne befor cognitioun be tane theranent, quhilk is not zit done : And attour, gevand they haue ony ſic act, that act is bot prevat, na publicatioun being maid thair of, nor zit authorizit be Parliament, as it aucht to be befor it tak effect ; and thairfoir is null with the faid executioun following thairupoun ; nottheles thay will not fail to proceed to the faid excommunicatioun aganis all reffoun, without remeid be prouidit. And anent the charge gevin to James Biſchop of Glaſgow, Maifter Johnne Craig, and Maifter Andro Hay, to haue comperit befor my Lord Regentis Grace and Lordis of Secret Counſale this day, bringand with thame the faid command of excommunicatioun togidder with the act quhairupoun the ſamyn procedit, to the effect that thay mycht vnderſtand the trewth of the faid matter, and thairefoir tak ordour thairin as ap-pertenit, lyke as at mair lenth is contenit in the faid complaint : The faid Johnne Carmichaell comperand perſonalie with Maifter Henry Balfour his pre-locutour ; and the faids James Biſchop of Glaſgow, Maifter Johnne Craig, and Maifter Andro Hay, being alſua perſonalie preſent ; the faid Maifter Andro wes requirit to produce the faid act quhairupoun the faid command of

excommunication, gevin be him, procedit : And he refusand, allegand the same not git to be extractit furth of the bukis of the Generall Assemble of the Kirk, my Lord Regentis Grace thairfoir, with aulse of the saids Lordis, suspendis the executioun of the said act and command following thairupoun, in tyme cuming, vpoun the said Johnne, ay and quhill the samyn be producit befoir his Grace and Lordis foirsaid, and that the said Johnne be warnit to the production thairof, as efferis.—Reg. Sec. Conc.]

A. D. M.D.LXXVII.

THE Generall Affemblic conveinit at Edinburgh, in the Counsell house, the first of Aprile 1577: Wherein were present the Bishops of Glasgow and Dumblane, Superintendents, Commissioners of Countreyes, Kirks and Vniversities, Ministers and vthers. Mr Alexander Arbuthnet, Principall of the Colledge of Aberdein, Moderatour.

Because the said Mr Alexander, Moderatour, was absent from the last Affemblic, and, in that respect, not forfein of the things done therin, at his desyre the Kirk appointit [their loved brethren] the Laird of Dun, Mrs James Lowson [Minister of Edinburgh,] Robert Pont, [Provest of the Trinitie Colledge,] David Lindefay, [Minister of Leith,] Andro Hay, [Commissioner of Cliddisdail,] John Craig, [Minister of Aberdeen,] Andro Melvill, [Principall of Glasgow,] to concurre with him the morne at seven houres in the morning, [in the Nether Tolbuith, to conferr] and advyse with him vpon sick things as falbe thocht good to be handlit in this Affemblic.

Sessio 1^a

[Forlameikle as the chief and principal argument to be treatit and reasoned in this Affemblic, is the Policie of the Kirk, reserved in their last Affembly to be handled and disputat at this, the brether deput to the conceiving and forming of the heids therof, being callit to give count of thair diligence and industrie in this behalf, presented the heads of the Policie, as

they had made partition therof at thair Affemblic in Striveling, with the judgment of the labours of the whole brethren tane therein. C. & B.]

Thereafter was presentit the heids pennit be Mrs Johne Row and James Lowfone, which were red, and nothing agains said, except ane of the said Mr Johnes articles referrit to farther disputation ; all men beand requyrit, that had good reason or argument to propone in the contrair, to alledge the same ; or if they wald not publickly reason vpon the said heid, to resort to the saids Commiffioners, quher travell sould be taken to fatifie them, leavand to them also libertie, befor the heids be recollectit and ordourit in ane bodie, to make argument as they think good against the same.

The heid given to the Laird of Dun, conforme to the order of distribution foresaid, being thocht be him obscure and myslick, the Kirk desyrit him to conferre with the remanent Commiffioners the morne at sevin houres, that he may be resolvit of the meaning therof.

The remnant heids beand,prolix, [and amplie written be the Commiffioners,] were thocht good to be contractit in short propositiones [and conclusions,] to be presentit to public reiding [thereafter.]

Sessio 2^a.

The heid committit to Mr Andro Hay red in face of the Affemblic : nothing was opponit against the same, except the article anent the Suspension of Ministers, referrit to farther reasoning.

[The part of the Policie given to David Fergufon red : Sicklyke the 18 article was referrit,; and nothing spoken be any man against the rest. C. & B.]

The pairts committit to Mr Andro Hay, Robert Pont, David Lindesay : nothing alledgit in the contrair.

The heids committit to Mr Johne Craig red : some things were desyrit to be contractit, andvthers referrit to farther reasoning.

Sessio 3^a.

The hail labours of the brethren tane vpon the matter and argument of the Policie beand haililie red in publick audience of the Kirk, it was

thought expedient [and good,] That thair hail travells and wark in this matter, being now disperfed, fould be revifit and pervfit be fome brethren, and digeftit and difpofit in good and convenient ordour, and therafter to be prefentit to the Affembly : And for that effect the Kirk appoints thair brethren, Mrs James Lowfone, Andro Melvill, Johne Craig, George Hay, to conveye together, to appoint the houres and place therto, and remaine therat quhill the matter be brocht to end ; and, in the meane tyme, if it please any man to reafon with them in the matter, to have acceffe therto.

[In the trial of the Vifitors, John Clapperton, Commiffioner of the Merce, was accused, That he refused to defigne the gleeb to the Reader of Langtoun : He answered, That he could not have the concurrence of the parifhioners conforme to the act of Parliament. The Affembly ordaines the Reader to feek remeed at the Lords of Counfell, and the Commiffioner to defigne the faid gleeb conforme to the acts of Parliament.

The Affembly ordained the Commiffioners to be placed in the parts of Fife, where Mr John Colvill remains, to burthen him with the cure of a kirk there conforme to the act made before, and to proceed againft him if he difobeyed ; and ficklyke the fame Commiffioners, and the Commiffioners to be appointed for Cliddifdail, to charge him to provide his kirk in Cliddifdail. C.]

Seffio 4^a.

Anent the accusatioun laid agains Mr Patrick Adamfone, callit Bifhop of Sanct Androes, That he had entrit in the faid Bifhoprick agains the acts of the Generall Affembly, and ufurpit the office of Vifitatioun within the bounds of Fyfe, vnauthorized be the commiffion or power of the Kirk, and left his ordinar office of Miniftrie : The Generall Kirk, in refpect of his abfence to anfuer heirto, Gives thair full power and commiffion to [their brethren] Mrs Robert Pont, James Lowfone, David Fergufone, and the Superintendent of Lowthiane conjunctlie ; and in cafe of the faid Superintendents inabilityie, to Mr David Lindefay, or John Brand, to direct out fummounds agains the faid Mr Patrick, fummounding him befor them at fick day or dayes as they fall think good, within the towne of Edinburgh, to try and examine his entrie and proceeding to the faid Bifhoprick, vfurpatioun of the faid office of Vifitatioun, and diferting his

ordinar office of Ministrie quhilk he had of befor ; with power to them to summond the Chapter of Sanct Androes, or so many of the Chapter as fall seime to them expedient, if neid requyre, and the Ordinars and Inaugurers of the said Mr Patrick, as they fall thinke good, for the better tryall of the premiffes: And what heirin they find be proces of examination, to report againe to the next Generall Assemblie; and, in the meane tyme, in name of the Kirk to discharge him of farther visitation of the saids bounds quhill he be admittit be the Kirk.

Sessio 5^a

[The which day, James Blackwood, Person of Sanquhar, being accused, That he bruikit twa benefices, viz. the Personage of Sancquhair and Vicarage of Saline, yet serves not at ane of the kirks: The Assemblie, after some reasoning, Found he sould demitt ane of the said benefices, and appointed him the morne to advise, and resolve which of them he would resigne. C. & B.]

[Concerning the Bishop of Glasgow his diligence, and feeding of a particular flocke as was promised in the last Assemblie before: It was found be report, and witnessing of the countrey, and Commissioners thereof, that he had kepted his promise theranent; for which the Assemblie praised God, and required farther that he should accept of a particular flock in tyme coming, conforme to the order and acts of the Assemblie, who willingly agreed thereto.

Sessio 6^a

Anent the resolution to be given be James Blackwood, Person of Sanquhar, to the determination of the Assemblie given yesterday: The said James present resolved, and declared, That, for fear of his life, he dar not resort to Sanchar to discharge his cure there, and always he shall serve at Sawling while he get security of Sanchar: In this mean time, matters standing uncertain, humbly prayed the Assemblie, that he were not compelled to resign any of them. That answer being considered be the said Assemblie, they ordained him to travell at the kirk of Sawling till the

next Generall Affembly, if he may not securely exercife his office at Sanquhar; and, in the mean time, that John Fouller fupport the kirk of Sanchar upon his cofts; always providing that the faid James infift diligently be the laws of the realme, to get poffeffion of his benefice at Sanchar, and fhew his diligence thereupon, betwixt this and the next Generall Affembly: And ordaines the Commiffioners of the country to admonifh the Tutor of Sanquhar to make no impediment or trouble to the faid James, in ufing his office, and ferving the cure at Sanchar, under the paine of the cenfures of the Kirk to be ufed againft him, if he difobey. C.]

It was thought expedient be the Kirk, that certaine of the brether be direct to the Regents Grace to informe him, that the Kirk is travelling in the matter and argument of the Policie; and quhat beis farther proceedit therin, his Grace fall receive advertifement befor the end of the Affembly. In this meane tyme, fundrie inconvenients may fall out befor this be perfyit, quhilks it wald pleis his Grace to confidder and remeid: And for this effect were difpatchit from this Affembly Mrs David Lindesay and Johnne Duncanfone, quho returneit and reportit, His Grace lykit weill of thair travells and labours that they tooke in that matter, requyring expeditioun and hafie outred therof: As for the particulars they informe wald be occurrit, let them be givin, they fall have good anfuer.

Seffio 8^a

The particulars of fick things as are defyrit to be ordinat be my Lord Regents Grace, befor the worke of the Policie came out, beand conceivit in a few articles, quhilk after fall appeir, were delyverit be the Kirk to thair brether Mrs David Lindesay, Andro Polwart, Johnne Duncanfone, to be proponit to his Grace, and to that effect to awaite afternoon for his Graces anfuer; quho returning reportit that his Graces anfuer was, That, if the articles might be refolvit be himfelfe without the Counfell, they fould receive his anfuer the morne in the morning; vtherwayes the Counfall fould be conveyit the morne at afternoon, and thereafter anfuer fould be given to fick as the Kirk directit to receive the fame; for the quhilk effect the Kirk directed Mrs John Craig and David Lindesay.

The tenour of the Articles above specified.

- First, That provisioun may be had for visitors of the Countreys.
2. That ordour may be tane, that persons depyvit be the Kirk for not doing thair offices, may be depyvit of thair benefices.
3. That his Grace will putt ordour to sikk as receives benefices, and thereafter coupes them.
4. That quhen benefices vaikes, they may be disponed rather to sikk as hes fervit at the kirks therof, than to vthers not so weill qualified.
5. That the acts of Parliament made against adulterers may be put to executioun, namelie, agains Willian Cochron, notorious adulterer.
6. That his Grace wald discharge playes of Robin Hood, King of May, and sikk vthers, on the Sabboth day.
7. Because ther is diverse Reidars not entrit in the Booke of Assignatioun, partlie be reason of inlaik of Commissioners, and partlie be thair negligence, That ordour may be provydit therfor.

The proces perfewit be the Laird of Tulliealane agains Johne Dykes, Minister of Culros, was sichtit be some brether, and the head of the bill was not found provin. The debait was finallie endit be the travells and perswasion of the brether appointit therto.

Sessio 9^a.

Anent the complaint made be David Fergusone vpon Mr James M^cGill, Clark of Register, and the zong Laird of Rossyth, That, agains the actis of the Kirk, they causit burie the vmquhill Laird of Rossyth in the Kirk of Dumferling, albeit the said David made them foirfein of the said act: The Kirk ordainit Johne Durie to warn the Clerk Register to ansuer heirto, the first of May nixt to come.

Sessio 10^a.

[The Affsembly] ordaines the brether [appointed] to waite on my Lord Regents Graces ansuer, to make sute for Mr John Davidsones libertie to come in the countrey, for his favour, quhen he lykes to returne.

Anent the ordinance made in the last Assembly, and execution thereof; concerning the inbringing of the names of the persons defunct be the Commissioners of the Countries, conforme to divers other acts past of before: The Superintendent of Lothian answered, He hath presently certain names ready to be delivered to the Procurator Fiscal; Mr John Craig for his part declared, He had delivered the names of the defunct within his bounds to the Commissioner of Aberdeen; William Christeson, That he had delivered the names to the said pursivant, direct to the Commissioners. The Assembly and Commissioners present have ordained the whole Commissioners of Countries to send in the names of the persons defunct within their bounds to the Procurator Fiscal at Edinburgh, if they be ready betwixt and the next Assembly; otherwise simpliciter to produce them then to be delivered to him, and to keep the act and ordinance made theranent before. C.]

The brethren appointit to collect the heids of the Policie presentit of before, reportit the same collectit in ordour, and digestit in one bodie; and all men requyrit that had good reason or argument to propone, to offer them thereto.

Thrie heids were callit in doubt be certaine; ane de Diaconatu, another de Jure Patronatus, the thrid de Divortiis, quherin they were not resolvit nor satisfied: As to the rest, nothing was thought to the contrair, nor opposit.

Thir thrie heids standand in contraverfie being publickly disputed and reasoned in utramque partem, get farther disputation was reservit till the morne, to any man that lykit to take the part of reasoning upon him agains the faids heids.

The Commissioners appointit to awaite vpon my Lord Regents Graces anfuere, reportit, Because they had no commiffion in wryte, his Grace gave no anfuere to them.

[Questions proponed in the Generall Assembly, and their decifions.

Q. What shall be done concerning such persons who will not receive the Communion but in Lentron. A. Such persons ought not to be satisfied, nor their superstition nurished therein.

Q. What shall therefore be done to Ministers and Readers, that, at such tymes in Lentron, or upon Saints dayes as they call them, as Zule and Pasche and such superstitious times, read, preach, or minister the

Communion, to retain the people in blindness. A. The Visitor, with advice of the Synodall Assembly, ought to admonish such Ministers or Readers to desist and abstain therefrom, under the paine of deprivation; and if they disobey, to deprive them.

Anent the complaint made upon the Clerk of Register, That he caused burie the late Laird of Rossyth in the Kirk of Dumfermline against the acts of the Kirk: C.] The Clerk Register beand present, declared, That the Provest and Bailgies of Dumfermline aggreit to burie the Laird of Rossyth in the Kirk, and that he was not the cause therof; submittand himselfe alwayes to the judgement of the Kirk, if any offence be found done by him.

[The Assembly requested the Commissioners of Countries to continue in their commission and office of Visitation till the next Generall Assembly, and to use such diligence and travels as they may goodly doe for the comfort of the Kirk. Mr Andrew Hay, Commissioner of Clidesdale, protested, That he be not burdened with the Over Ward of Cliddisdail from Hamilton up; always promised to keep Synodall Assemblies. C.]

The Generall Assemblie of the Kirk of this realme, confidderand the great abundance of iniquitie overflowing vniversallie the hail face of the commoun weill, now in so great light and revelatioun of the true and Christian religioun, justlie provocking and stirring up the justice and equitie of God to take judgement and vengeance on this unworthie and vnthankfull nation; seeand also the many perrillous stormes and rage of persecutioun daylie invadeing the Kirk and Spous of Jesus Chryst; the found and extreme troubles of the zealous members therof in the partes of France and els quher, professing with them ane Saviour, Lord, and Messias; the work of establisching a perfyte ordour and policie in the Kirk being presentlie in hand, Hes thought it good [meet and expedient] for the same reasons and good causes, That earnest and speidie recourse salbe had to God with commoun supplicatiouns and prayers: And to that effect, a generall Fast be observit vniversallie through all the kirks of this realme, with doctrine and instruction to the peiple; to begin the second Sunday of Julij nixt to come, quhilk is the nynt day therof, and to continue to the nixt Sunday thereafter, vsing, in the meanetyme, exercise of doctrine according to the accustomed ordour; and to that effect, that intimatioun be made heiroyf be Com-

missioners of Countreyes to the Ministers within their bounds, as appertaines. Givin in the Generall Affemblic.

[Concerning the proposition of Mr James Lowson, Minister of Edinburgh, desiring the mind and declaration of the Affemblic, How they think to be done with the money which was collected to the support of the French Kirks, being yet in his hands undisposed : The Affembly present willeth the said money, or sameeke farther which shall be inbrought of that which was promised for their support, to be employed to the use and necessity of the Kirk. C.]

Because the matter of the Policie of the Kirk, collectit be the brethren, is not get in sikk perfyt forme as is requisite ; and fundrie things largelic intreatit, quhilk wilbe more summarlie handlit ; vthers requyring farther dilatioun : For recollecting therof, and puting the same in good ordour and forme, and for avoyding of superfluitie and obscuritie, the substantialls beand keipit ; the Kirk presentlie hes willit thair belovit brethren, Mrs Robert Pont and James Lowfone, to take travells and labours in the premisses : and to the effect that the worke may be the better compleit and in readines against the nixt Generall Affemblic, quhilk is ordainit to begin at Edenburgh the 25 day of October nixt to come, the Kirk hes ordainit thair brethren, the Laird of Dun, Mrs Alexander Arbuthnet, Andro Melvill, Johne Craig, Andro Hay, George Hay, Johne Row, David Lindefay, Johne Duncansone, to conveine and assemble together, the 19 of October nixt, in Edenburgh, to revise and consider the travells of their said brether, that the same may be the more advysedlie proponit publicklic, as said is. In this meanetyme, sikk as pleases to reason in the matter, to have access to the said brether : and lykewayes ordainit the Visitors of Countreyes to make intimatioun to the Barronis, that the said warke is in hand, and to be trattit in the nixt Generall Conventioun ; desyreand thair prefence and concurrence therto.

A. D. M.D.LXXVII.

THE General Assembly of the Kirk conveyit at Edinburgh, in the Laigh Tolbuith therof, the 25 day of October 1577: Where ther was present the Commissioners of Countreyes, Provinces, Townes, and Vniverfities, with the Ministers. Mr David Lindfay [Minifter of Leith] Moderatour.

Sessio 1^a.

Because of great confusioun heirtofoir in Assemblies quhilk fell out be casting in of purposes vnforsein afoir, and be the multitude of the proponers therof, it was thocht meit, dureing this Assemblée, that certain brether fould conferre with the Moderatour vpon matters to be intreatit on at this conventioun, viz. Mrs John Row, Alexander Arbuthnet, Andro Melvill, William Christefone, James Lowfone, Robert Pont, Andro Hay, Johne Duncanfone, [and the brethren to conveen with the Moderator at eight hours in the morning, and at half hour to two in the afternoon during the Assemblée]: and sicklyke it is thocht good, that the acts made in the Assemblée be confiderit be the said brether joynit to the Moderatour, and thereafter red in opin Assemblée.

The Kirk thocht meit, that my Lord Regents Grace fould be defyrit to be in this Assemblée in proper person, or be Commissioners; and to that effect were directit Mrs Johne Row and James Lowfone, quho immediately returnit with ansuer, That his Grace had no leifure to talke with them, for occupatioun.

The haill Affemblie ordainit Mrs Johne Craig and Johne Brand to gang to his Grace for the fame effect, and to report his anfuer the morne at nyne houres.

[In the trial of the Commiffioners, Mr Peter Watfon was delated for marrying Garleis in a privat houfe: He granted, but alledged he followed the example of Mr Willock, who had done the lyke there: The Affemby in refpect of the acts made, prohibiting privat celebration of marriage, ordained the faid Mr Peter to pafs to the parifh kirk of Difeir, where the faid parties fhould have been married, and upon a Sunday in prefence of the Congregation and Mr James Beton, Minifter, confeff his offence in tranfgreffing of the faid act, which he fhall alfo read in prefence of the people, and to report a testimonial to the next Affemblie from the faid Mr James of the performance of this ordinance. C.]

[The brethren direct to my Lord Regents Grace reported his Graces anfwer was, That he was fo occupied in earneft affaires of the Counfell, that he had no leifure to conferre with them. C. & B.]

The Kirk hes thocht it meit that their brethren, John Brand and Mr John Craig paffe againe to his Grace, and require his perfonal prefence in this Affemby, or Commiffioners [to be directed from his Grace] authorized with his Commiffion, [and to report his anfwer again the morn at nyne hours.]

Because the matter of the Policie and jurifdictioun of the Kirk committit to the recollecting, formeing and difpofitioun of certaine brether, beand now presentit be them, was thocht expedient to be proponit and entreatit the morne: after the reiding of the generall heids therof, the haill brether was requyrit to advife with themfelves if they fand any vther heids necefary to be difputit then thefe, and to fignifie the fame to the Affemblie the morne.

Seffio 3^a

Johne Brand returneit my Lord Regents Graces anfuer, That in refpect of fundrie importunat buffines he could not have the Counfell fo foone conveyit, he could not fatisfie the petition of the Kirk, defyrand that the brether that were fend to him befor, fould come downe and fpeak with his Grace; and because the Kirk is labourand in the Policie, pray-

and them to gang fordwart earneftlie and put the fame to end. The Kirk ordainit Mrs James Lowfone and Johne Row to paffe to his Grace the morne according to his defyre.

Mr Patrick Adamfone, in my Lord Regents Graces name, exhibite to the Affemblic a letter direct from the Queins Majestie of Ingland to his Grace, making informatioun of a certaine Counsell to have bein haldin at Magdeburg for eftablifhing of the Auguftane Confessioun, with ane letter wrytin from the Caffimire to her Majestie of that fame argument, defyre and the Affemblic to advyse if they thocht meitt that any of the learned Minifters of this natioun fall repare thither, and quhom they will name and find good to this effect : To the quhilk defyre the Kirk continewit to give anfuer to the 28 day of this instant.

The residue of this day beand confumed in examinatioun of the travells takin vpon the Policie, as it is notit thervpon, to the nixt Seffion, the Kirk ordainis it to be proceedit farther therin.

Seffio 5^a

[Concerning the motion made be Mr Patrick Adamfon, in my Lord Regents Graces name, touching the resolution of the Affembly if they thought needfull, That some of the brethren be directed to the Counsell which is to be held at Magdeburg, and whom they thought meet to be nominat thereto : C.] The Affemblic present in one mynd resolvit and adjudgeit it very neccellar, that some of the Kirk sould be direct to the Counsell to be haldin at Magdeburg, and hes nominat anytwa of the brethren following as falbe thocht moft meit be my Lord Regents Grace, viz. Mrs Andro Melvill, Patrick Adamfone, David Cunighame, George Hay, David Lindesay, William Christefone, Alexander Arbuthnet and Robert Pont ; whose names the Kirk ordaines to be presentit to his Grace be Mr Craig, and to report his anfuer againe.

Compeirit Johne Anderfon in linnen cloathes, in prefence of the hail Affemblic ; and being prostrat on his knies, confessit he had offendit Mr Robert Boyd, Minister, in drawing of his blood, quherof he repentit with his heart, and asked God and his Kirk forgiveness, promising, be the grace of God, not to fall in the lyke wickednes in tyme comeing.

Sessio 6^a.

This Sessioun being haillilie imployit in reasoning vpon the heids of the [Policie and] Jurisdiction of the Kirk, the same argument was ordained to be [profecut and] followed out the morne, so farre as tyme may serve therunto.

Sessio 7^a.

Concerning the number of the brethren givin in to his Grace, [who are to be directed to the Council which is to be halden at Magdeburg, Mr Patrick Adamson reported my Lord Regents ansuer, That] it lyked him weill that the Kirk had givin him choise out of so reasonable a number, and that, in his opinion, Mrs Andro Melvill, George Hay and Alexander Arbuthnet were meitest for the purpose; alwayes desyred the advyce and judgement of the Assemblie heirin, that after he may take resolutioun with his Counsell: The Kirk willit the said Mr Patrick Adamson with Mr Johne Craig and William Christofone, to travell with his Grace to know farther his Graces mynd in this behalfe; and sicklyke to desyre his Grace to appoint the modifiers to conveine to the ordouring of the rolls of the Ministers, and to report his Graces ansuer againe to the Assemblie.

[For anfwering of the complaints and questions to be given in to this Assembly: The Assembly hath appointed their bretheren, John Duncanson, William Christison, John Braid, Mr James Carmichael, to conveen at extraordinar hours to that effect; and als to vifit the proces of Kelfo, and to report their judgement to the Assembly. C.]

Sessio 8^a.

The persons directit to his Grace [to know farther of my Lord Regents Grace his mind concerning the persons directed to the Council which is to be holden at Magdeburg; and the ordering of the rolls,] reportit, That he lykit weill Mrs Andro Melvill and George Hay to be directit to the said Counsell; alwayes he wald know the advyce of the Counsell therin, quherof he wald make them to be informed: And, con-

cerning the rolls of Ministers, had appointit the Abbot of Dumfermling, George Auchinleck, Mr Nicoll Elphinstoun, and James Nicollfone to take ordour therewith.

Sessio 9^a

Thomas Myrtone, feear of Cambo, and Mr Thomas Ramsay, gave in ane bill of accusation against Mr Thomas Kynneir, Minister of Craill, containand fundrie heids of slander layand against him, as, namely, suspitions of adulterie with Agnes Guidland, spous to Sir Johne Browne, drunkennes, tuilgefomenes, felling of the sacraments: The said Mr Thomas beand present denyit the hail poynts therof; and the saids bill beand referrit to the accusers productioun for proving therof, they produceit David Fermour, David Monypennie, Mr James Haliburtoun, Provest of Dundie, Johne Herreis and Mr Thomas Fermour, quho being admittit, and nothing opponit against them be the said Mr Thomas, were ordainit to be examined be William Christefone and Johne Durie, and thair depositions to be presentit againe to the Assembly, to be considerit quhat they may import.

Sessio 10^a

The depositions of the witnes being examinat in the said cause being reportit at afternoone, the Assembly continewit the pronouncing of thair sentence in the matter to the morne, and warnit both the parties therto.

Mr Androw Polwart was decernit to be frie and at libertie fra the kirk at Paislay, that he may serve vther quher it pleases God to call him; because of the contempt of the discipline, thair manifest vycies, minacing and boasting of him in doing his duetie, his labours cannot be profitable to them; besydes some privat causes quhilk were considerit be Mrs Andro Hay, Alexander Arbuthnot, George Hay, and Andro Melvill, and they reportit thair judgement, quhervpon the decret past.

Sessio 11^a

Anent the greivous accusation laid agains Mr Thomas Kynneir be the Laird of Cambo and Mr Thomas Ramsay, concerning his slanderous and vngodlie lyfe : The haill Affemblic, after publick reiding of the witnesses and probatioun deduceit in the matter, and dew confideratioun therof, and after takeing oath of the accusers that they accuse neither for malice nor choler, but for conscience cause, knawand the accusatiouns they charge him with to be trew, Decernes, all in ane voyce, the said Mr Thomas to be depriyvit, lykeas they depriue him of the Ministrie in all tyme comeing ; debarreing him from the participation of the holie Supper of the Lord, ay and quhill his repentance be testified to the Generall Affemblic be the Visitor of the Countrey quher he remaines, and humble supplicatioun be made be the said Mr Thomas to the haill Affemblic, to be admittit therto, and receive thair ansuer to that effect : And that this sentence be intimat in the Kirk of Craill in the pulpit therof be the Commissioner of the Countrey.

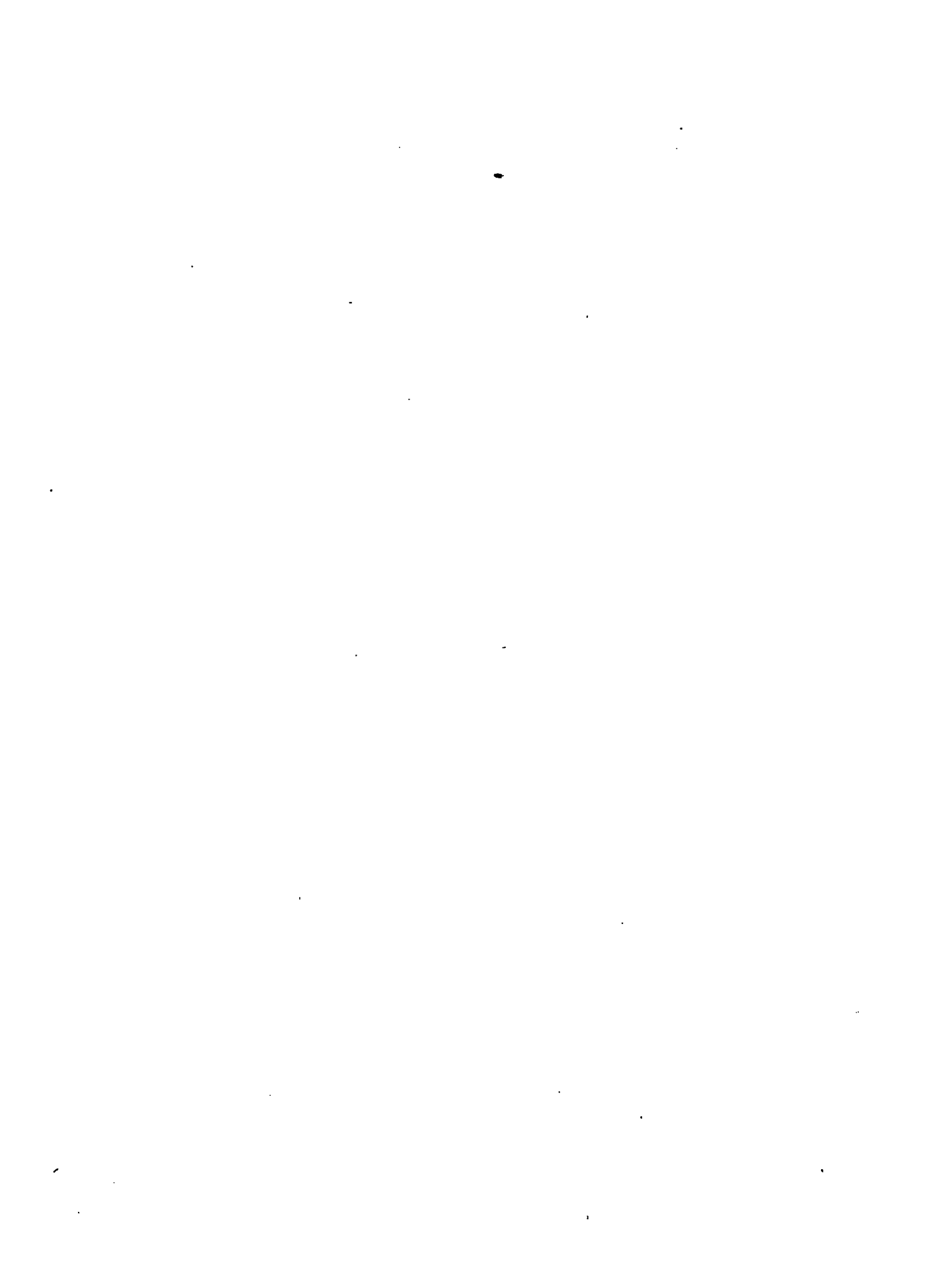
Sessio 12^a

[Anent the determination of the Assembly concerning James Blackwood, Reader at Sauling, for marrying of the Commendator of Dumferline and his wife, being resident without his parish, without testimonials of the Minister of the parish where they make residence : The Assembly decernes the act made against such persons, the 27 day of December 1565, to be execut against him, to incurre the pains thereof, viz. deprivation of his office, tinfell of his stipend, and other pains, as the Generall Assembly shall thereafter think meet to be injoynd. C.]

Sessio 13^a

Forfameikle as the heids of the Policie and Jurisdiction of the Kirk beand haillilie red in the audience of the haill Affemblic, and thought good [and expedient,] that the samein sould be presentit to my Lord Regents

Grace, as was agreeit be reasoning amongst the brethren, saifand the head, de Diaconatu, quhilk is ordained to be givin in with a note, That the same is agreeit be the most part of the Assemblie, without prejudice of farther reasoning : To the effect the saids heids may be put in mundo, disposit and sett in good ordour, according to the mynd of the Assemblie, the Assemblie hes willit Mrs James Lowfone, Robert Pont, David Lindesay, and the Clark of the Assemblie, to travell with diligence therin : And the same beand put in mundo be them, according to the originall, to be sein and revisit be Johne Duncanfone, David Fergufone, the Laird of Dunne, if he be present, Mr James Carmichaell and Johne Brand ; and beand found be them according to the originall, to be presentit be the saids Mrs James Lowfone, Robert Pont and David Lindesay, together with ane supplicatioun pennit and delyverit to them be the Kirk, to my Lord Regents Grace : and in case conference and reasoning be focht be his Grace vpon the saids heids presentit to his Grace, the Assemblie hes ordainit Mrs Patrick Adamfone, the Laird of Dunne, Johne Craig, Johne Row, Alexander Arbuthnet, Andro Melvill, James Lowfone, Robert Pont, David Lindesay, Andro Hay, George Hay, and Johne Duncanfone, to concurre and awaite vpon the said Conference as they salbe advertised be his Grace.



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